

STATE PERSONNEL BOARD CALENDAR



NOVEMBER 20, 2007

SACRAMENTO

State of California

Memorandum

DATE: **November 9, 2007**

TO: ALL INTERESTED PARTIES

FROM: **STATE PERSONNEL BOARD** – Executive Office

SUBJECT: Notice and Agenda for the **November 20, 2007**, meeting of the State Personnel Board.

PLEASE TAKE NOTICE that on November 20, 2007, at the offices of the State Personnel Board, located at 801 Capitol Mall, Room 150, Sacramento, California 95814, the State Personnel Board will hold its regularly scheduled meeting.

The attached Agenda provides a brief description of each item to be considered and lists the date and approximate time for discussion of the item. Also noted is whether the item will be considered in closed or public session. Closed sessions are closed to members of the public. All discussions held in public sessions are open to those interested in attending. Interested members of the public who wish to address the Board on a public session item may request the opportunity to do so.

Should you wish to obtain a copy of any of the items considered in the public sessions for the November 20, 2007, meeting, please contact the Secretariat's Office, State Personnel Board, 801 Capitol Mall, MS 52, Sacramento, California 95814 or by calling (916) 653-0429 or TDD (916) 654-2360, or the Internet at: www.spb.ca.gov/calendar.htm

Should you have any questions regarding this Notice and Agenda, please contact staff in the Secretariat's Office at the address or telephone numbers above.

A handwritten signature in cursive script, appearing to read "A. Partington".

April Partington
Secretariat's Office

Attachment



CALIFORNIA STATE PERSONNEL BOARD

801 Capitol Mall • Sacramento, California 95814 • www.spb.ca.gov

ARNOLD SCHWARZENEGGER, Governor



CALIFORNIA STATE PERSONNEL BOARD MEETING¹

801 Capitol Mall
Sacramento, California

Public Session Location – 801 Capitol Mall
Sacramento, California, Room 150

Closed Session Location – 801 Capitol Mall
Sacramento, California, Room 141

MID MONTH BOARD MEETING – NOVEMBER 20, 2007

¹ Sign Language Interpreter will be provided for Board Meeting upon request - contact Secretariat at (916) 653-0429, or CALNET 453-0429, TDD (916) 654-2360.

MID MONTH BOARD MEETING AGENDA²

November 20, 2007
9:00 a.m. – 10:30 a.m.
(or upon completion of business)

PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND ARE SUBJECT TO CHANGE

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

(9:00 a.m. – 9:30 a.m.)

1. **ROLL CALL**
2. **REPORT OF THE EXECUTIVE OFFICER – Suzanne M. Ambrose**
3. **REPORT OF THE CHIEF COUNSEL – Elise Rose**
4. **NEW BUSINESS**

Items may be raised by Board Members for scheduling and discussion for future meetings.

5. **REPORT ON LEGISLATION – Sherry Evans**

The Board may be asked to adopt a position with respect to the bills listed on the legislation memorandum attached.

CLOSED SESSION OF THE STATE PERSONNEL BOARD

(9:30 – 10:00 a.m.)

6. **EMPLOYEE APPOINTMENTS, DISCIPLINARY MATTERS, AND OTHER APPEALS**

Deliberations to consider matter submitted at prior hearing.
[Government Code Sections 11126(d), 18653.]

² The Agenda for the Board Meetings can be obtained at the following internet address:
<http://www.spb.ca.gov/calendar.htm>

7. DELIBERATION ON ADVERSE ACTIONS, DISCRIMINATION COMPLAINTS, AND OTHER PROPOSED DECISIONS SUBMITTED BY ADMINISTRATIVE LAW JUDGES

Deliberations on matters submitted at prior hearing; on proposed, rejected, remanded, and submitted decisions; petitions for rehearing; and other matters related to cases heard by administrative law judges of the State Personnel Board or by the Board itself. [Government Code Sections 11126 (c) (3), and 18653.]

8. PENDING LITIGATION

Confer with legal counsel to receive advice regarding pending litigation when discussion in open session would be prejudicial.
[Government Code sections 11126(e)(1) and 18653.]

Patrick McCollum v. State of California
United States District Court, Northern District of California
Case No. C 04-03339 CRB

Plata, et al. v. Schwarzenegger, et al.
Case No. C01-1351 THE

Colocousis, et al. v. State Personnel Board, et al.
Sacramento Superior Court Case No. 07CS00461

9. RECOMMENDATIONS TO THE LEGISLATURE

Deliberations on recommendations to the legislature.
[Government Code section 18653.]

10. RECOMMENDATIONS TO THE GOVERNOR

Deliberations on recommendations to the Governor.
[Government Code section 18653.]

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

(10:00 a.m. – 10:15 a.m.)

11. DISCUSSION OF UPCOMING DECEMBER 3 & 4, 2007 BOARD MEETING SCHEDULE IN SAN FRANCISCO, CALIFORNIA

BOARD ACTIONS:

12. **ADOPTION OF THE STATE PERSONNEL BOARD SUMMARY MINUTES OF OCTOBER 22, 2007**
13. **EVIDENTIARY CASES - (See Case Listings on Pages 10-15)**
14. **RESOLUTION EXTENDING TIME UNDER GOVERNMENT CODE SECTION 18671.1 EXTENSION - (See Agenda on Pages 21-22)**
15. **NON-EVIDENTIARY CASES - (See Case Listings on Pages 15-18)**
16. **NON-HEARING CALENDAR**

The following proposals are made to the State Personnel Board by either the Board staff or Department of Personnel Administration staff. It is anticipated that the Board will act on these proposals without a hearing.

Anyone with concerns or opposition to any of these proposals should submit a written notice to the Executive Officer clearly stating the nature of the concern or opposition. Such notice should explain how the issue in dispute is a merit employment matter within the Board's scope of authority as set forth in the State Civil Service Act (Government Code section 18500 et seq.) and Article VII, California Constitution. Matters within the Board's scope of authority include, but are not limited to, personnel selection, employee status, discrimination and affirmative action. Matters outside the Board's scope of authority include, but are not limited to, compensation, employee benefits, position allocation, and organization structure. Such notice must be received not later than close of business on the Wednesday before the Board meeting at which the proposal is scheduled. Such notice from an exclusive bargaining representative will not be entertained after this deadline, provided the representative has received advance notice of the classification proposal pursuant to the applicable memorandum of understanding. In investigating matters outlined above, the Executive Officer shall act as the Board's authorized representative and recommend the Board either act on the proposals as submitted without a hearing or schedule the items for a hearing, including a staff recommendation on resolution of the merit issues in dispute.

- A. **BOARD ITEMS PRESENTED BY STATE PERSONNEL BOARD OR DEPARTMENT OF PERSONNEL ADMINISTRATION TO ESTABLISH, REVISE OR ABOLISH CLASSIFICATIONS, ALTERNATE RANGE CRITERIA, ETC.**

PROPOSED AMENDMENT TO ALTERNATE RANGE CRITERIA 11, RANGE 7

Proposed revision to Alternate Range Criteria 11, Range 7 to include specific vocational and academic staff and the Reentry Program Instructor, California Department of Corrections. In addition, add footnote 21 to the Reentry Program Instructor, California Department of Corrections class.

VARIOUS CLASSIFICATIONS – BARGAINING UNIT 07

Proposed revision to various Bargaining Unit 07 classifications that are currently split between positions with peace officer or non-peace officer responsibilities; establishment of new parenthetical classifications that have non-peace officer status.

- B. ABOLISHMENT OF CLASSES THAT HAVE HAD NO INCUMBENTS FOR MORE THAN TWO YEARS. DEPARTMENTS THAT UTILIZE THE CLASS AS WELL AS THE APPROPRIATE UNION HAVE NO OBJECTION TO THE ABOLISHMENT OF THESE CLASSES.**

THE DEPARTMENT OF PERSONNEL ADMINISTRATION AND STATE PERSONNEL BOARD propose to abolish the following unused classifications, which have been vacant for more than twenty-four months. Departments that utilize the class as well as the appropriate union have no objection to the abolishment of these classes. When classes are proposed to be abolished which are part of a class series, and other classes within the series will continue to be used, the class specification is included in the board item.

NONE

17. STAFF CALENDAR ITEMS FOR BOARD INFORMATION

NONE

18. CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY

This section of the Agenda serves to inform interested individuals and departments of proposed and approved CEA position actions.

The first section lists position actions that have been proposed and are currently under consideration.

Any parties having concerns with the merits of a proposed CEA position action should submit their concerns in writing to the Classification and Compensation Division of the Department of Personnel Administration, the Merit Operations Division of the State Personnel Board, and the department proposing the action.

To assure adequate time to consider objections to a CEA position action, issues should be presented immediately upon receipt of the State Personnel Board Agenda in which the proposed position action is noticed as being under consideration, and generally no later than a week to ten days after its publication.

In cases where a merit issue has been raised regarding a proposed CEA position action and the dispute cannot be resolved, a hearing before the five-member Board may be scheduled. If no merit issues are raised regarding a proposed CEA position action, and the State Personnel Board approves it, the action becomes effective without further action by the Board.

Section B of this portion of the Agenda reports those position actions that have been approved. They are effective as of the date they were approved by the Executive Officer of the State Personnel Board.

A. REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS CURRENTLY UNDER CONSIDERATION

CHIEF INFORMATION SECURITY OFFICER, DEPARTMENT OF TRANSPORTATION

The Department of Transportation proposes to allocate the above position to the CEA category. The Chief ISO position is responsible for the development of security policies, procedures and criteria for the protection of the Department's information assets. The incumbent develops and implements policies that provide operational guidelines and delineates roles and responsibilities of Department entities to prevent unauthorized access, corruption, disclosure or destruction of Department information or information systems, and to ensure the security, integrity, and confidentiality of information assets.

CHIEF DEPUTY DIRECTOR, OFFICE OF GANG AND YOUTH VIOLENCE, GOVERNOR'S OFFICE OF EMERGENCY SERVICES

The Office of Emergency Services proposes to allocate the above position to the CEA category. The Chief Deputy Director will serve as the principal advisor to the Director of the newly established Office and the CalGRIP Program and represents the Director in his stead. The Office of Gang and Youth Violence shall be responsible for identifying and evaluating federal, state, and local gang and youth violence suppression, intervention, prevention programs and strategies, along with the funding for those efforts. The position is responsible for establishing and/or recommending changes to policy, and establishing goals and objectives.

REGIONAL ADMINISTRATOR, (NORTHERN), DEPARTMENT OF CORRECTIONS AND REHABILITATION

The Department of Corrections and Rehabilitation proposes to allocate the above position to the CEA category. The Regional Administrator is responsible for the administration of a very large, complex and sensitive health care delivery system within a major geographic area of the State. As a member of the management team, develops and implements policy decisions.

REGIONAL ADMINISTRATOR, (SOUTHERN), DEPARTMENT OF CORRECTIONS AND REHABILITATION

The Department of Corrections and Rehabilitation proposes to allocate the above position to the CEA category. The Regional Administrator is responsible for the administration of a very large, complex and sensitive health care delivery system within a major geographic area of the State. As a member of the management team, develops and implements policy decisions.

REGIONAL ADMINISTRATOR, (CENTRAL), DEPARTMENT OF CORRECTIONS AND REHABILITATION

The Department of Corrections and Rehabilitation proposes to allocate the above position to the CEA category. The Regional Administrator is responsible for the administration of a very large, complex and sensitive health care delivery system within a major geographic area of the State. As a member of the management team, develops and implements policy decisions.

DEPUTY DIRECTOR, CONSOLIDATED CARE CENTERS, DEPARTMENT OF CORRECTIONS AND REHABILITATION

The Department of Corrections and Rehabilitation proposes to allocate the above position to the CEA category. The Deputy Director, Consolidated Care Centers is required for compliance with the *Coleman* Special Master's recommendations and will play a critical role in complying the court's mandates and mental health professional standards. The position will develop and implement policy and oversee facility changes.

B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS

CHIEF, CLINICAL OPERATIONS DIVISION

The Department of Corrections and Rehabilitation's request to allocate the above position has been approved effective October 16, 2007.

DEPUTY DIRECTOR, COMPLIANCE DIVISION

The California Gambling Control Commission's request to allocate the above position has been approved November 1, 2007.

ASSISTANT DEPUTY DIRECTOR, CENTER FOR HEALTHCARE QUALITY

The Department of Public Health's request to allocate the above position has been approved effective November 1, 2007.

DIRECTOR, ADMINISTRATION DIVISION

The Commission on Teacher Credentialing's request to allocate the above position has been approved November 1, 2007.

CHIEF, OFFICE OF INTERNAL AUDITS

The California Lottery's request to allocate the above position has been approved effective November 1, 2007.

CHIEF, OFFICE OF THE OMBUDSMAN

The Department of Corrections and Rehabilitation's request to allocate the above position has been approved effective November 1, 2007.

PROPOSITION 1B PROGRAM MANAGER

The Department of Transportation's request to allocate the above position has been approved effective November 1, 2007.

DEPUTY DISTRICT DIRECTOR, PROGRAM/PROJECT MANAGEMENT

The Department of Transportation's request to allocate the above position has been approved effective November 1, 2007.

CHIEF, RESEARCH SERVICES AND DATA DEVELOPMENT BRANCH

The Department of Social Services' request to allocate the above position has been approved effective November 1, 2007.

19. EMPLOYEE APPOINTMENTS, DISCIPLINARY MATTERS, & OTHER APPEALS

Deliberations to consider matter submitted at prior hearing. [Government Code sections 11126(d), 18653.]

20. WRITTEN STAFF REPORT FOR BOARD INFORMATION

NONE

21. PRESENTATION OF EMERGENCY ITEMS AS NECESSARY

22. BOARD ACTIONS ON SUBMITTED ITEMS – (See Agenda on Pages 19-20)

These items have been taken under submission by the State Personnel Board at a prior meeting and may be before the Board for a vote at this meeting. This list does not include evidentiary cases, as those are listed separately by category on this agenda under Evidentiary Cases.

A D J O U R N M E N T

23. EVIDENTIARY CASES

The Board Administrative Law Judges conduct evidentiary hearings in appeals that include, but are not limited to, adverse actions, medical terminations, demotions, discrimination, reasonable accommodations, and whistleblower complaints.

A. **BOARD CASES SUBMITTED**

These items have been taken under submission by the State Personnel Board at a prior meeting. Cases that are before the Board for vote will be provided under separate cover.

(1) **CASE NO. 05-1007EA**

Appeal from denial of discrimination complaint

Classification: Outside contractor

Department: Department of Transportation

Proposed decision rejected December 19, 2006.

Pending oral argument April 3, 2007, Sacramento.

Oral argument continued.

Oral argument heard July 10, 2007, Sacramento.

Case ready for decision by FULL Board.

(2) **CASE NO. 06-2010A**

Appeal from medical termination

Classification: Administrative Support Coordinator II

Department: California State University, Los Angeles

Proposed decision rejected May 8, 2007.

Transcript prepared.

Oral argument heard August 7, 2007, Pasadena.

Case ready for decision by FULL Board.

(3) **CASE NO. 05-2721A**

Appeal from dismissal

Classification: Health Facilities Evaluator Nurse

Department: Department of Health Services

Proposed decision rejected June 5, 2007.

Transcript prepared.

Oral argument heard November 5, 2007, San Diego.

Case ready for decision by FULL Board.

(4) CASE NO. 05-1043P

Appeal from dismissal

Classification: Tax Counsel, Range D

Department: Board of Equalization

Petition for rehearing granted June 5, 2007.

Transcript prepared.

Oral argument heard October 9, 2007, Sacramento.

Case ready for decision by FULL Board.

(5) CASE NO. 07-003 (b)

Appeal from Executive Officer's disapproval of contract

Classification: Janitorial Services

Department:

Petition for rehearing granted May 8, 2007.

Oral argument heard September 4, 2007, Sacramento.

Case ready for decision by FULL Board.

B. CASES PENDING

ORAL ARGUMENTS

These cases are on calendar to be argued at this meeting or to be considered by the Board in closed session based on written arguments submitted by the parties.

NONE

C. CHIEF COUNSEL RESOLUTIONS

NONE

COURT REMANDS

This case has been remanded to the Board by the court for further Board action.

NONE

STIPULATIONS

These stipulations have been submitted to the Board for Board approval, pursuant to Government Code, section 18681.

NONE

D. ADMINISTRATIVE LAW JUDGE'S (ALJ) PROPOSED DECISIONS

PROPOSED DECISIONS

These are ALJ proposed decisions submitted to the Board for the first time.

- (1) CASE NO. 06-3550**
Appeal from dismissal
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
- (2) CASE NO. 06-4733**
Appeal from five percent reduction in salary for six months
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
- (3) CASE NO. 07-0670**
Appeal from ten percent reduction in salary for ten months
Classification: Accounting Technician
Department: Employment Development Department
- (4) CASE NO. 07-2012**
Appeal from termination of temporary appointment (TAU)
Classification: Scientific Aid
Department: Department of Food and Agriculture
- (5) CASE NOS., 05-0665 & 05-2345E**
Appeal from dismissal and discrimination/retaliation complaint
Classification: Lead Judicial Secretary
Department: Department of Corrections and Rehabilitation
- (6) CASE NO. 07-0300**
Appeal from 60 working day's suspension
Classification: Parole Agent I, Adult Parole
Department: Department of Corrections and Rehabilitation

- (7) **CASE NO. 06-1946**
Appeal from 48 working days suspension
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
- (8) **CASE NO. 06-1949**
Appeal from 10 working days suspension
Classification: Officer
Department: Department of California Highway Patrol
- (9) **CASE NO. 06-4228**
Appeal from 10 percent reduction in salary for 12 months
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation
- (10) **CASE NO. 07-0987**
Appeal from rejection during probationary period
Classification: Licensed Vocational Nurse
Department: Department of Corrections and Rehabilitation
- (11) **CASE NO. 07-1293**
Appeal from dismissal
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
- (12) **CASE NO. 06-4374**
Appeal from dismissal
Classification: Office Assistant (General)
Department: Department of Motor Vehicles
- (13) **CASE NO. 06-3397**
Appeal from rejection during probationary period
Classification: Tax Auditor
Department: State Board of Equalization

PROPOSED DECISIONS AFTER BOARD REMAND

- (14) **CASE NO. 06-1760R**
Appeal from five percent reduction in salary for an indeterminate period of time
Classification: Associate Governmental Program Analyst
Department: Department of Motor Vehicles

PROPOSED DECISIONS AFTER SPB ARBITRATION

NONE

E. PETITIONS FOR REHEARING

ALJ PROPOSED DECISIONS ADOPTED BY THE BOARD

The Board will vote to grant or deny a petition for rehearing filed by one or both parties, regarding a case already decided by the Board.

NONE

WHISTLEBLOWER NOTICE OF FINDINGS

The Board will vote to grant or deny a petition for rehearing filed by one or both parties, regarding a Notice of Findings issued by the Executive Officer under Government Code, section 19682 et seq. and Title 2, California Code of Regulations, section 56 et seq.

NONE

F. PENDING BOARD REVIEW

These cases are pending preparation of transcripts, briefs, or the setting of oral argument before the Board.

(1) CASE NO. 06-3534A

Appeal from constructive medical termination

Classification: Psychiatric Technician Assistant

Department: Department of Developmental Services

Proposed decision rejected June 19, 2007.

Transcript prepared.

Pending oral argument December 4-5, 2007, San Francisco.

(2) CASE NO. 06-3014PA

Appeal from punitive transfer

Classification: Correctional Sergeant

Department: Department of Corrections and Rehabilitation

Petition for rehearing granted July 10, 2007.

Transcript prepared.

Pending oral argument October 9, 2007, Sacramento.

Oral argument continued.

Pending oral argument December 4-5, 2007, San Francisco

- (3) **CASE NO. 07-0850A**
Appeal from non-punitive termination
Classification: Clinical Social Worker
Department: Department of Corrections and Rehabilitation
- Proposed decision rejected September 24, 2007.
Pending transcript.

- (4) **CASE NO. 05-3327A**
Appeal from dismissal
Classification: Medical Technical Assistant
Department: Department of Corrections and Rehabilitation
- Proposed decision rejected July 10, 2007.
Transcript prepared.

- (5) **CASE NO. 06-1413PA**
Appeal from five percent reduction in salary for six months
Classification: Registered Nurse
Department: Department of Corrections and Rehabilitation
- Petition for rehearing granted August 7, 2007.
Transcript prepared.
Pending oral argument December 4-5, 2007, San Francisco.

24. **NON-EVIDENTIARY CASES**

A. **WITHHOLD APPEALS**

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

WITHHOLD FROM CERTIFICATION **CASES HEARD BY A STAFF HEARING OFFICER**

NONE

WITHHOLD FROM CERTIFICATION
CASES NOT HEARD BY A STAFF HEARING OFFICER

- (1) **CASE NO. 06-3142N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; active arrest warrant, omitting pertinent information.
 - (2) **CASE NO. 06-3150N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative driving record.
 - (3) **CASE NO. 06-3013N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; failure to disclose law enforcement contacts.
 - (4) **CASE NO. 06-3024N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; job termination within one year of CDCR application.
 - (5) **CASE NO. 06-3132N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative employment record
 - (6) **CASE NO. 06-3133N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitting information, negative driving and employment record.
- **CASE NO. 07-0697N**
Classification: Youth Correctional Counselor
Department: California Department of Corrections and Rehabilitation

- **CASE NO. 07-3107N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation

B. MEDICAL AND PSYCHOLOGICAL SCREENING APPEALS

Cases heard by a Staff Hearing Panel comprised of a managerial staff member of the State Personnel Board and a medical professional. The Board will be presented recommendations by a Hearing Panel on each appeal.

- (1) **CASE NO. 06-1585N**
Classification: Cadet, CHP
Department: California Highway Patrol
Issue: Suitability; deficits in judgment, maturity and recent underage drinking.

C. EXAMINATION APPEALS
MINIMUM QUALIFICATIONS
MERIT ISSUE COMPLAINTS

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

NONE

D. RULE 211 APPEALS
RULE 212 OUT OF CLASS APPEALS
VOIDED APPOINTMENT APPEALS

Cases heard by a Staff Hearing Officer, or a managerial staff member of the State Personnel Board. The Board will be presented recommendations by a Staff Hearing Officer for final decision on each appeal.

- **CASE NO. 07-3326N**
Classification: Unknown
Department: State Personnel Board – B.I. Unit

E. REQUEST TO FILE CHARGES CASES

Investigated by Appeals Division staff. The Board will be presented recommendations by Appeals Division staff for final decision on each request.

- (1) **CASE NO. 06-1829N**
Classification: Battalion Chief
Department: California Department of Forestry and Fire Protection
Issue: The charging party requests to file charges against employees of the California Department of Forestry and Fire Protection.

PETITIONS FOR REHEARING CASES

NONE

SUBMITTED

1. **TEACHER STATE HOSPITAL (SEVERELY), ETC.**
Departments of Mental Health and Developmental Services. (Hearing held December 3, 2002.)
2. **VOCATIONAL INSTRUCTOR (SAFETY) (VARIOUS SPECIALTIES)**
Departments of Mental Health and Developmental Services. (Hearing held December 3, 2002.)
3. **TELEVISION SPECIALIST (SAFETY)**
The Department of Corrections proposes to establish the new classification Television Specialist (Safety) by using the existing Television Specialist class specification and adding "Safety" as a parenthetical to recognize the public aspect of their job, additional language will be added to the Typical Tasks section of the class specification and a Special Physical Characteristics section will be added. (Presented to Board March 4, 2003.)
4. **HEARING – Personal Services Contract #04-03**
Appeal of the California State Employees Association from the Executive Officer's April 15, 2004, Approval of Master Contracts between the California Department of Corrections and Staffing Solutions, CliniStaff, Inc., Staff USA, Inc., CareerStaff Unlimited, MSI International, Inc., Access Medical Staffing & Service, Drug Consultants, Infinity Quality Services Corporation, Licensed Medical Staffing, Inc., Morgan Management Services, Inc., Asereth Medical Services, and PrideStaff dba Rx Relief. (Hearing held August 12, 2004.)
5. **HEARING**
Proposed new and revised State Personnel Board Regulations effecting equal opportunity, discrimination complaints and reasonable accommodation policies and procedures. (Hearing held July 7, 2004.)
6. **HEARING – PROPOSED AMENDMENTS TO REGULATIONS CONCERNING PROCEDURES THAT APPLY TO COST SAVINGS PERSONAL SERVICES CONTRACTS UNDER GOVERNMENT CODE SECTION 19130(a)** (Hearing held July 10, 2007.)
7. **CASE NO. 05-4007EA**
Appeal from denial of discrimination complaint. Outside contractor. Department of Transportation. (Oral argument held July 10, 2007.)

8. **PERSONAL SERVICES CONTRACT NO. 07-01.** Appeal of the Department of the California Highway Patrol (CHP) from the Executive Officer's February 21, 2007, Disapproval of CHP's Personal Services Contracts for Custodial Services at the following offices: Torrance Area Office (RFP 078CP62001); Yolo Area Office (RFP 078CP6159); Burney Area Office (RFP 078CP5634R); Anaheim Area Office (RFP 078CP6171); Los Angeles Area Office (RFP 078CP6167); Monterey Park Area Office (RFP 078CP6170); Oceanside Area Office (RFP 078CP6141); Blythe Area Office (RFP 078CP6139); Santa Ana Area Office (RFP 078CP5905R); and Redwood City Area Office (RFP 078CP6143I). (Oral argument held July 10, 2007.)
9. **CASE NO. 06-3023A.** Appeal from ten percent reduction in salary for three months. Psychiatric Technician. Department of Corrections and Rehabilitation. (Oral argument held on August 7, 2007.)
10. **CASE NO. 06-2010A.** Appeal from medical termination. Administrative Support Coordinator II. California State University, Los Angeles. (Oral argument held on August 7, 2007.)
11. **CASE NO. 03-3412PA.** Appeal from rejection during probation. Correctional Counselor II (Supervisor). Department of Corrections and Rehabilitation.
12. **CASE NO. 05-1285A.** Appeal from dismissal. Public Safety Dispatcher II. Department of the California Highway Patrol.
13. **PERSONAL SERVICES CONTRACT NO. 07-02, CASE NO. 07-003(b)** Appeal in the matter of the Executive Officer's disapproval of the Janitorial Services contract. Department of Health Services.

NOTICE OF GOVERNMENT CODE SECTION 18671.1 RESOLUTION

Since Government Code section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional 45 days, the Board hereby publishes its substantial reasons for the need for the 45-day extension for some of the cases now pending before it for decision.

An additional 45 days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than six months as of the date of the Board meeting.

GOVERNMENT CODE SECTION 18671.1 RESOLUTION

WHEREAS, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

WHEREAS, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

WHEREAS, the Agenda for the instant Board meeting included an item titled "Notice of Government Code section 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

WHEREAS, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the time limitations set forth in Government Code section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

* * * * *



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(Cal. 11/20/07)

TO: Members
State Personnel Board

FROM: State Personnel Board - Legislative Office

SUBJECT: LEGISLATION

There is no written legislative report at this time. I will give a verbal presentation on any legislative action that has taken place that will be of interest to the Board.

Please contact me directly should you have any questions or comments regarding any bills that you may have an interest in. I can be reached at (916) 653-0453.

A handwritten signature in cursive script that reads 'Sherry A. Evans'.

Sherry A. Evans
Director of Legislation

STATE PERSONNEL BOARD

NON-HEARING CALENDAR

RE: BOARD DATE NOVEMBER 20, 2007

(Cal. 09/04/07)/

MEMO TO : STATE PERSONNEL BOARD

FROM : MIKE STRAZZO, Merit Operations Division

SUBJECT : Non-Hearing Calendar Items for Board Action

Page**PROPOSED AMENDMENT TO ALTERNATE RANGE CRITERIA 11,
RANGE 7**

201

Proposed revision to Alternate Range Criteria 11, Range 7 to include specific vocational and academic staff and the Reentry Program Instructor, California Department of Corrections. In addition, add footnote 21 to the Reentry Program Instructor, California Department of Corrections class.

VARIOUS CLASSIFICATIONS – BARGAINING UNIT 7

252

Proposed revision to various Unit 07 classifications that are currently split between positions with peace officer or non-peace officer responsibilities; establishment of new parenthetical classifications that have non-peace officer status.

TO: STATE PERSONNEL BOARD

FROM: Classification Study Team
Department of Personnel Administration

REVIEWED BY: Josie Fernandez, Program Manager
Department of Personnel Administration

SUBJECT: Proposed revision of class specifications for:
 Assistant Bureau Chief, Division of Law Enforcement, Department of Justice;
 District Representative I, Division of Codes and Standards;
 District Representative II, Division of Codes and Standards;
 Codes and Standards Administrator I;
 Codes and Standards Administrator II;
 Codes and Standards Administrator III;
 Enforcement Representative I, Contractors State License Board;
 Enforcement Representative II, Contractors State License Board;
 Enforcement Supervisor I, Contractors State License Board;
 Enforcement Supervisor II, Contractors State License Board;
 Investigator Assistant;
 Special Investigator I;
 Senior Special Investigator;
 Supervising Special Investigator I;
 Supervising Special Investigator II; and

Establishment of parenthetical Non-Peace Officer classes with probationary periods:
 Assistant Bureau Chief, Division of Law Enforcement, Department of Justice (Non-Peace Officer);
 District Representative I, Division of Codes and Standards (Non-Peace Officer);
 District Representative II, Division of Codes and Standards (Non-Peace Officer);
 Enforcement Representative I, Contractors State License Board (Non-Peace Officer);
 Enforcement Representative II, Contractors State License Board (Non-Peace Officer);
 Investigator Assistant (Non-Peace Officer);
 Special Investigator I (Non-Peace Officer);
 Senior Special Investigator (Non-Peace Officer);
 Supervising Special Investigator I (Non-Peace Officer);
 Supervising Special Investigator II (Non-Peace Officer), and

Proposed revision to Alternate Range Criteria 195.

SUMMARY OF ISSUES:

There are ten classifications utilized by various departments that are currently split between positions with peace officer or non-peace officer responsibilities and status. Pursuant to the July 1, 2005 through June 30, 2008, MOU between the State and the California Statewide Law Enforcement Association, effective January 1, 2008, salaries for peace officer and non-peace officer positions will differ. Therefore, it is necessary to clearly identify those employees and positions with peace officer and non-peace officer status in order to implement the provisions of the MOU by:

1. Establishing new parenthetical classifications that do not have peace officer status;
2. Revising current class and class series specifications to add the new parenthetical classifications and;
3. Retitle classes that do not have peace officer status.

The typical tasks, knowledge and abilities for each classification remain the same, except for those positions that have been identified as requiring peace officer status. Specifications are revised to reflect statutory peace officer standards to ensure compliance with legal requirements and consistency with other peace officer classifications.

CONSULTED WITH:

Karen Lynch, Department of Personnel Administration
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 Denise Cooper, Department of Personnel Administration
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 Margie Imai, Department of Personnel Administration
 Kristine Rodrigues, Department of Personnel Administration
 Daphne Baldwin, State Personnel Board
 Ron Wood, Commission on Peace Officer Standards and Training
 Ed Jimenez, Department of Housing and Community Development
 Sandra Mayorga, Department of Insurance
 Kasey Christopher Clark, California Statewide Law Enforcement Association

In accordance with the terms of the Department of Personnel Administration (DPA)/California Statewide Law Enforcement Association contract, DPA has notified the union in writing of this proposal.

BACKGROUND AND CONSIDERATIONS:

See attached proposal.

RECOMMENDATIONS:

It is recommended:

1. That the following classes be established; the proposed specifications for the classes appearing in the series specifications shown in this calendar be adopted; and the probationary period for each class be twelve months.

<u>Class Title</u>	<u>Series Specification</u>
Assistant Bureau Chief, Division of Law Enforcement, Department of Justice DOJ (Non-Peace Officer)	Bureau Administration, Division of Law Enforcement, Department of Justice
District Representative I, Division of Codes and Standards (Non-Peace Officer)	District Representative and Codes and Standards Administrator
Enforcement Representative II, Contractors State License Board (Non-Peace Officer)	Enforcement Representative, Contractors State License Board

2. That the class of District Representative II, Division of Codes and Standards (Non-Peace Officer) be established; the proposed specification appearing in the District Representative and Codes and Standards Administrator series specification shown in the current calendar be adopted and the probationary period for the class be six months.
3. That the class of Investigator Assistant (Non-Peace Officer) be established; the proposed specification appearing in the proposed Investigator Assistant series specification shown in the current calendar be adopted and the probationary period for the class be twelve months.
4. That the class of Supervising Special Investigator I (Non-Peace Officer) be established; the proposed specification appearing in the proposed Supervising Special Investigator I series specification shown in the current calendar be adopted and the probationary period for the class be twelve months.
5. That the class of Supervising Special Investigator II (Non-Peace Officer) be established; the proposed specification appearing in the proposed Supervising Special Investigator II series specification shown in the current calendar be adopted and the probationary period for the class be twelve months.
6. That the class of Senior Special Investigator (Non-Peace Officer) be established; the proposed specification appearing in the proposed Senior Special Investigator series specification shown in the current calendar be adopted and the probationary period for the class be six months.
7. That the deep class of Enforcement Representative I, Contractors State License Board (Non-Peace Officer) be established; the proposed specification for the class appearing in the Enforcement Representative, Contractors State License Board series specification

shown in the current calendar be adopted and the probationary period for the class be twelve months.

8. That Alternate Range Criteria 195 for the new deep class of Enforcement Representative I, Contractors State License Board (Non-Peace Officer) be amended and applied as follows:

Experience gained outside State service may be credited only if the appointing power believes the experience was satisfactory and comparable in the type and quality to that of Enforcement Representative I, Contractors State License Board or Enforcement Representative I, Contractors State License Board (Non-Peace Officer).

Range A. This range shall apply to incumbents who do not meet the criteria for payment in Range B.

Range B. This range shall apply to persons who have satisfactorily completed:

1. One year of service in Range A, and are consistently performing at a satisfactory level as determined by the appointing power. or
2. Have completed four years of experience in one or a combination of the following:
 - a. A government agency or private firm which has provided skills in investigation or complaint resolution work. or
 - b. Employment in a building construction trade.

When the requirements for the particular criteria are met and upon recommendation of the appointing power, the employee shall receive a rate under the provisions of Department of Personnel Administration Rule 599.674(b).

9. That the deep class of Special Investigator I (Non-Peace Officer) be established; the proposed specification for the class appearing in the proposed Special Investigator I series specification shown in the current calendar be adopted and the probationary period for the class be twelve months.
10. That Alternate Range Criteria 156 for the new deep class of Special Investigator I (Non-Peace Officer) be applied without modification.
11. That the titles of the following classes are changed as indicated; and the proposed revised specifications for these classes as shown in the current calendar be adopted:

<u>From</u>	<u>To</u>
Codes and Standards Administrator I	Codes and Standards Administrator I (Non-Peace Officer)
Codes and Standards Administrator II	Codes and Standards Administrator II (Non-Peace Officer)
Codes and Standards Administrator III	Codes and Standards Administrator III (Non-Peace Officer)

Enforcement Supervisor I, Contractors
State License Board

Enforcement Supervisor I, Contractors
State License Board (Non-Peace Officer)

Enforcement Supervisor II, Contractors
State License Board

Enforcement Supervisor II, Contractors
State License Board (Non-Peace
Officer)

RESOLUTIONS:

Effective November 30, 2007, the following resolutions are adopted by the State Personnel Board.

a. WHEREAS, the State Personnel Board on November 20, 2007 established the classes as indicated in Column II; and the duties and responsibilities of the corresponding classes were substantially included in the previously existing classes as indicated in Column I; and

WHEREAS, DPA needed a mechanism to identify and separate each group to implement compensation adjustments authorized by Bargaining Unit 07 negotiations; and

WHEREAS, DPA received no opposition from Bargaining Unit 07, and DPA met with all departments involved and all departments are in agreement with this proposal; and

WHEREAS, the knowledge and abilities required for the classes in Column II were substantially tested for in the examinations held for the classes listed in Column I:
Therefore be it

RESOLVED, that any person with civil service status in the classes indicated in Column I on November 30, 2007 shall be reallocated based on the duties the individual is performing on that date to the appropriate class indicated in Column II to eliminate dual concepts and are hereby granted the same civil service status in that class without further examination; and be it further

RESOLVED, that any existing employment lists other than reemployment lists established for the classes indicated in Column I, shall be used to certify to fill vacancies in the classes indicated in Column II, as directed by the Executive Officer of the State Personnel Board until such lists are abolished, exhausted, or superseded by lists for the classes indicated in Column II, and for any persons on existing reemployment lists for classes in Column I, shall also be placed on reemployment lists for the classes in Column II until expiration of their eligibility on reemployment lists for classes in Column I.

Column I

Assistant Bureau Chief, Division of
Enforcement, Department of
Justice

District Representative I, Division of
Codes and Standards

Column II

Assistant Bureau Chief, Division of Law
Law Enforcement, Department of
Justice (Non-Peace Officer)

District Representative I, Division of
Codes and Standards (Non-Peace
Officer)

District Representative II, Division of Codes and Standards	District Representative II, Division of Codes and Standards (Non-Peace Officer)
Enforcement Representative I, Contractors State License Board	Enforcement Representative I, Contractors State License Board (Non-Peace Officer)
Enforcement Representative II, Contractors State License Board, Range A	Enforcement Representative II, Contractors State License Board (Non-Peace Officer), Range A
Enforcement Representative II, Contractors State License Board, Range B	Enforcement Representative II, Contractors State License Board (Non-Peace Officer), Range B
Investigator Assistant	Investigator Assistant (Non-Peace Officer)
Special Investigator I, Range A	Special Investigator I (Non-Peace Officer), Range A
Special Investigator I, Range B	Special Investigator I (Non-Peace Officer), Range B
Senior Special Investigator	Senior Special Investigator (Non-Peace Officer)
Supervising Special Investigator I	Supervising Special Investigator I (Non-Peace Officer)
Supervising Special Investigator II	Supervising Special Investigator II (Non-Peace Officer)

b. WHEREAS, Title 2, California Code of Regulation, Section 431 states “Unless otherwise provided by resolution of the board, the maximum rate of the lowest salary range currently authorized for a class is used to make salary comparisons”, and

WHEREAS, alternate ranges within the new class of Enforcement Representative II, Contractors State License Board (Non-Peace Officer), are being established parallel to the existing classes of Enforcement Representative II, Contractors State License Board, Range A and Enforcement Representative II, Contractors State License Board, Range B; and

WHEREAS, placement in each alternate range of the class of Enforcement Representative II, Contractors State License Board (Non-Peace Officer), represents recognition of a higher level of knowledge, skill, ability, experience or eligibility which each appointee can acquire through experience in the class of Enforcement Representative II, Contractors State License Board (Non-Peace Officer) or comparable or higher level classes; and

WHEREAS, as the result of a permanent appointment to each alternate range, an appointee gains status in the range to which he/she is appointed, as though each range is a separate class by qualifying for placement in that range through transfer, reinstatement, demotion or satisfying the alternate range criteria: Therefore be it

RESOLVED, that salary Ranges A and B for the class of Enforcement Representative II, Contractors State License Board (Non-Peace Officer), may be used individually as if each represents the salary range of a separate class to make salary comparisons for discretionary actions between the class of Enforcement Representative II, Contractors State License Board (Non-Peace Officer) and other classes; and be it further

RESOLVED, that for the class of Enforcement Representative II, Contractors State License Board (Non-Peace Officer), the maximum currently authorized for Range B of the class shall be the salary range used to make salary comparisons for mandatory actions.

c. WHEREAS, Title 2, California Code of Regulation, Section 431 states "Unless otherwise provided by resolution of the board, the maximum rate of the lowest salary range currently authorized for a class is used to make salary comparisons", and

WHEREAS, alternate ranges within the new class of Special Investigator I (Non-Peace Officer), are being established parallel to the existing classes of Special Investigator I, Range A and Special Investigator I, Range B, and

WHEREAS, placement in each alternate range of the class of Special Investigator I (Non-Peace Officer), represents recognition of a higher level of knowledge, skill, ability, experience or eligibility which each appointee can acquire through experience in the class of Special Investigator I (Non-Peace Officer) or comparable or higher level classes; and

WHEREAS, as the result of a permanent appointment to each alternate range, an appointee gains status in the range to which he/she is appointed, as though each range is a separate class by qualifying for placement in that range through transfer, reinstatement, demotion or satisfying the alternate range criteria: Therefore be it

RESOLVED, that salary Ranges A and B for the class of Special Investigator I (Non-Peace Officer), may be used individually as if each represents the salary range of a separate class to make salary comparisons for discretionary actions between the class of Special Investigator I (Non-Peace Officer), and other classes; and be it further

RESOLVED, that for the class of Special Investigator I (Non-Peace Officer) the maximum currently authorized for Range B of the class shall be the salary range used to make salary comparisons for mandatory actions.

B. CLASSIFICATION CONSIDERATIONS

Instructions: Complete only if Concept (Part A) approved by DPA. Include headings (Background, Classification Considerations, etc.) if using additional paper. Only complete applicable questions (i.e., provide enough information to support the proposal). Respond to each of these questions and return with signed-off transmittal to your DPA and SPB Analysts.

BACKGROUND

1. Provide some historical perspective about the organizational setting of the subject class(es) and the needs that this request addresses.

The current MOU for Unit 7 provides a five percent salary increase for Peace Officer/Firefighter (POFF) classifications effective January 1, 2008. Specifically, POFF classifications will have the maximum of the salary range increased by five percent if incumbents meet the specified criteria. Bargaining Unit 7 covers classifications associated with Protective Services and Public Safety. These classifications are designated to a retirement category based on the primary duties performed; retirement categories being Miscellaneous, Safety or POFF. As the Unit 7 classifications relate to public protection and safety, the majority of classifications fall into either Safety or POFF; however, there are some Unit 7 classifications that are in the miscellaneous retirement category.

While the classification specifications may be general enough to cover the full range of duties, some classifications serve a dual role and include incumbents performing duties that qualify under multiple designations, based on the specific authorization provided in government and/or penal code. This becomes further complicated by the fact that there is no check and balance process on retirement designations to provide departments clear direction on the appropriate retirement category, or to ensure employees are in the appropriate retirement category. In addition, the terminology used generates a certain level of confusion with departments. For example, while the POFF designation means the incumbent is a 'peace officer'; not all 'peace officers' qualify for the POFF retirement category.

DPA staff reviewed the government and penal codes authorizing Safety and POFF designation in order to identify the specific authorization for each classification. As a result of the research, the DPA has identified a total of ten Unit 7 classifications that serve a dual role. These classes are listed as follows:

8547 – Supervising Special Investigator II
 8548 – Supervising Special Investigator I
 8550 – Senior Special Investigator
 8553 – Special Investigator I
 8554 – Investigator Assistant
 8681 – Assistant Bureau Chief, Division of Law Enforcement, DOJ
 8793 – Enforcement Representative I, Contractors State License Board
 8795 – Enforcement Representative II, Contractors State License Board
 8958 – District Representative II, Division of Codes and Standards, Housing & Community Development
 8960 – District Representative I, Division of Codes and Standards, Housing & Community Development

Based on these changes, and in order to assist departments, the DPA needs a mechanism to identify and separate each group to accurately implement compensation adjustments authorized by current and future negotiations. We recommend creating parenthetical classes for all the non-peace officer work, since most of the dual classes are specifically identified by class title in statute as performing peace officer duties. Further consultation with departmental representatives and POST indicates the best solution to this problem is to modify the current classifications authorized as "peace officers" in statute and add clarifying language:

Incumbents in these classes perform peace officer duties and responsibilities in the accomplishment of their assignments in accordance with the applicable Penal Code and Government Code sections.

This proposed revision will also add legally mandatory POST hiring requirements to the 10 peace officer classes, which is consistent with all other peace officer classifications.

All departments using these classes will be notified of the proposed changes, with opportunity given for review and input:

California Horse Racing Board; Commission on Teacher Credentialing; Consumer Affairs; Developmental Services; Emergency Medical Services Authority; Food and Agriculture; Housing and Community Development; Industrial Relations; Insurance; Justice; Mental Health; Pesticide Regulations; Public Employee's Retirement System; Secretary of State's Office; Social Services; State Controller's Office; and Veterans Affairs (Retired Annuitants only).

CLASSIFICATION CONSIDERATIONS

2. What classification(s) does the subject class(es) report to?

The reporting relationships for the new parallel non-peace officer classes will be identical to relationships identified in the current specifications for all impacted classes.

3. Will the subject class(es) supervise? If so, what class(es)?

The Supervising Special Investigator II, Supervising Special Investigator I, supervise lower level investigator classes. The Assistant Bureau Chief, Division of Law Enforcement, DOJ assists Bureau Chiefs to direct and administer major program areas within the DOJ Division of Law Enforcement

4. What are the specific duties of the subject class(es)?

The Special Investigator parallel non-peace officer classifications perform lead, or supervise investigations to detect or verify suspected violations of provisions of laws, rules, or regulations. The District Representatives, Division of Codes and Standards develop, enforce, and administer laws, codes, and regulations of the Department of Housing and Community Development. The Enforcement Representatives review and enforce regulations and procedures administered by the Contractors State License Board. The Assistant Bureau Chiefs plan and administer the work of major programs within DOJ's Division of Law Enforcement.

These classes are proposed to be split-off from the current classes because they do not have the authority under Penal Code or Government Code to perform peace officer duties in the accomplishment of their assignments.

The Codes and Standards Administrators I, II and III, and the Enforcement Supervisors I and II, Contractors State License Board do not have the authority under Penal Code or Government Code to perform peace officer duties in the accomplishment of their assignments. Therefore, the classes are being retitled to include the non-peace officer parenthetical to provide title consistency to their respective class series.

5. What is the decision-making responsibility of the subject class (es)?

The current ten classifications identified include a dual concept. The purpose of splitting out and establishing non-peace officer classes is to differentiate the non-peace officer and peace officer duties and authority. Peace officer responsibilities are defined in both Government Code and Penal Code. The majority of the classes impacted fall under the following Penal Code section:

830.3 The following persons are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 of the Penal Code as to any public offense with respect to which there is immediate danger to person or property, or the escape of the perpetrator of that offense or pursuant to Section 8597 or 8598 of the Government Code. These peace officers may carry firearms only if authorized and under those terms and conditions as specified by their employing agencies.

6. What would be the consequence of error if incumbents in the subject class(es) did not perform their jobs? (Program problems, lost funding, public safety compromised, etc.)

Both the non-peace officer parenthetical and peace officer classes perform a public safety role. They ensure the laws, rules, and regulations of the agencies they report to are upheld. Public safety would be compromised if these functions are not performed.

7. What are the analytical requirements expected of incumbents in the subject class(es)?

The analytical requirements of the parallel classes are similar. How the duties are carried out differ. Those positions designated as peace officers are given authority under law to perform peace officer duties and responsibilities in accomplishment of their assignments. They are subject to peace officer standards and training requirements authorized by either their departments or POST.

8. What are the purpose, type, and level of contacts incumbents in the subject class(es) make?

Incumbents in these classifications are either directly responsible, or supervise staff, engaged in activities involving Federal, state, and local law enforcement agencies. They are required to establish and maintain close working relationships with various persons and agencies. While conducting investigations they may be required to interview witnesses and persons suspected of violations.

NEED FOR NEW CLASS (if necessary)

9. For New classes only: what existing classes were considered and why were they not appropriate?

Creating a new Alternate Range Criteria for the positions designated as peace officer within the current dual class concept was initially considered in lieu of creating new non-peace officer classes. While originally regarded as the quickest solution, problems were identified with this option including:

Difference in current and future pay adjustments for non-peace officer and peace officer positions within the same class; difficulties in administering and tracking both types of positions within the same class; and POST requirements for peace officer classes that are distinct from non-peace officer classes.

MINIMUM QUALIFICATIONS

10. What are the proposed or current minimum qualifications of the subject class(es), and why are they appropriate? (Include inside and outside experience patterns.)

The Minimum Qualifications for the 10 current peace officer classes are being revised to reflect statutory peace officer standards to ensure compliance with legal requirements and consistency with other peace officer classifications.

PEACE OFFICER STANDARDS

Citizenship Requirement: Pursuant to Government Code Section 1031(a), in order to be a peace officer, a person must either be a U.S. Citizen or be a permanent resident alien who is eligible for and has applied for U. S. Citizenship. Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his/her application for citizenship is denied.

Felony Disqualification: Pursuant to Government Code Section 1029, persons convicted of a felony are disqualified from employment as peace officers except as provided under Welfare and Institutions Code, Division 2, Chapter 3, Article 8, Section 1179(b), or Division 2.5, Chapter 1, Article 4, Section 1772(b). Except as provided for by these statutes, persons convicted of a felony are not eligible to compete for, or be appointed to, positions in these classes.

Firearm Conviction Disqualification: Anyone who is restricted for employment-related purposes from accessing, possessing, carrying, receiving, or having under his/her control a firearm or ammunition under all applicable State or Federal laws is ineligible for appointment to any position in these classifications.

Firearms Requirement: Persons convicted of a misdemeanor crime of domestic violence as defined in the amended Federal Gun Control Act of 1968 are disqualified from appointment to these classes.

Background Investigation: Pursuant to Government Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment.

Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Training Requirements: Under provisions of Penal Code Section 832, successful completion of training is required for peace officer status in this classification.

PROBATIONARY PERIOD

☐ Six Months

11. If a probationary period other than six months is proposed, what is the rationale?

The tasks of the classifications cannot be effectively evaluated on a day-to-day basis because they involve fieldwork with infrequent or occasional supervision, and the positions require specialized knowledge and skills. With the exception of the following classes, all have 12-month probationary periods:

Senior Special Investigator (Non-Peace Officer)

District Representative II, Division of Codes and Standards (Non-Peace Officer)

STATUS CONSIDERATIONS (see additional information in Part D).

12. What is the impact on current incumbents?

Only incumbents with civil service status in the current classes that are not peace officers shall be reallocated on November 30, 2007 to the new non-peace officer parenthetical and will be granted the same civil service status in that class without further examination.

13. Will current employees move by examination, transfer, reallocation, split-off, etc.? Explain rationale.

Current employees will move as specified in the resolution section by reallocation effective November 30, 2007. As previously mentioned this reallocation is proposed to eliminate a dual class concept and establish appropriate tests of fitness for the peace officer classes that comply with legal requirements and are consistent with other peace officer classifications.

Column I (Old Classes)

Assistant Bureau Chief, Division of
Law Enforcement, DOJ

District Representative I, Division of
Codes and Standards

Column II (New Classes)

Assistant Bureau Chief, Division of
Law Enforcement, DOJ (Non-Peace
Officer)

District Representative I, Division of
Codes and Standards (Non-Peace
Officer)

District Representative II, Division of
Codes and Standards

District Representative II, Division of
Codes and Standards (Non-Peace
Officer)

Enforcement Representative I,
Contractors State License Board

Enforcement Representative I,
Contractors State License Board
(Non-Peace Officer)

Enforcement Representative II,
Contractors State License Board

Enforcement Representative II,
Contractors State License Board
(Non-Peace Officer)

Investigator Assistant

Investigator Assistant (Non-Peace
Officer)

Special Investigator I

Special Investigator I (Non-Peace
Officer)

Senior Special Investigator

Senior Special Investigator (Non-
Peace Officer)

Supervising Special Investigator I

Supervising Special Investigator I
(Non-Peace Officer)

Supervising Special Investigator II

Supervising Special Investigator II
(Non-Peace Officer)

CONSULTED WITH

14. In addition to the departmental contacts listed on the cover sheet, list the names and affiliations of persons who were consulted during the development of this proposal.

CALIFORNIA STATE PERSONNEL BOARD**SPECIFICATION**

SUPERVISING SPECIAL INVESTIGATOR II
Series Specification
(Established _____)

SCOPE

This is a series specification that describes two classes that supervise a staff of Special Investigators performing investigative work.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
VI70	8547	Supervising Special Investigator II
VI71	8545	Supervising Special Investigator II (Non-Peace Officer)

DEFINITION

BOTH CLASSES:

Under direction, either (1) in a major administrative area, to direct a large staff in the performance of field investigations to detect or verify suspected violations of laws, rules, or regulations; or (2) in a headquarters office, to assist the chief investigator in planning and directing a statewide investigation program, and to act for the chief in his/her absence; and to do other related work.

DISTINGUISHING CHARACTERISTICS

BOTH CLASSES:

Employees in this class are typically the administrators of an investigation program in a major administrative area of a State department, with responsibility for coordination and review of the work of first-line supervisors.

TYPICAL TASKS

BOTH CLASSES:

Plans, organizes, and directs the work of a staff in the investigation of suspected violations of provisions of laws, rules, or regulations; works with and secures the cooperation of Federal, State, and local law enforcement agencies; evaluates the performance of staff members and takes appropriate action; makes inspections of the physical

security of local offices and equipment and recommends any necessary action; advises departmental personnel in methods of fraud detection; develops and maintains a working relationship with judges, prosecutors, employers, and unions; assists the chief special investigator in planning and directing a statewide investigation program, and acts for the chief in his/her absence; reviews and evaluates reports; directs or participates in the more difficult or confidential field investigations; and prepares reports and correspondence.

SUPERVISING SPECIAL INVESTIGATOR II

Incumbents in this class perform peace officer duties and responsibilities in the accomplishment of their assignments in accordance with the California Penal Code, Section 830 et. seq., and Government Code, Sections 20391 and 20393.

MINIMUM QUALIFICATIONS

BOTH CLASSES:

Either I

One year of experience performing the duties of a Supervising Special Investigator I or a Supervising Special Investigator I (Non-Peace Officer) in the California state service.

Or II

Two years of experience performing the duties of a Senior Special Investigator or a Senior Special Investigator (Non-Peace Officer) in the California state service.

Or III

Experience: Three years of experience in investigation work, at least two years of which shall have been in a supervisory capacity. and

Education: Equivalent to completion of the twelfth grade.
(Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

KNOWLEDGE, SKILLS, AND ABILITIES

BOTH CLASSES:

Knowledge of: Investigation techniques and procedures, and directing others in the performance of investigatory work; rules of evidence and court procedure; principles of identification, preservation, and presentation of evidence; sources of information used in locating persons; laws of arrest, search and seizure, service of legal process, and the legal rights of citizens; principles and techniques of personnel management and supervision; supervising a staff of

investigators; interviewing techniques; duties of Federal, State, and local law enforcement agencies; interpreting and applying to specific cases the provisions of the laws, rules, or regulations enforced or administered; and a manager's/supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment.

Skill in: Planning, organizing, and directing investigations.

Ability to: Direct others in the performance of investigatory work; interpret and apply to specific cases the provisions of the laws, rules, or regulations enforced or administered; supervise a staff of investigators; dictate correspondence and prepare reports; communicate effectively; establish and maintain close working relationships with persons and agencies; analyze situations accurately; think and act quickly in emergencies, and identify and take corrective administrative action on specific problems; and effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment.

SPECIAL PERSONAL CHARACTERISTICS

BOTH CLASSES:

Willingness to work irregular hours and overtime in various locations throughout the State; tact; keenness of observation; good memory for names, faces, and incidents; and ability to qualify for a fiduciary bond.

PEACE OFFICER STANDARDS

SUPERVISING SPECIAL INVESTIGATOR II

Citizenship Requirement: Pursuant to Government Code Section 1031(a), in order to be a peace officer, a person must either be a U.S. Citizen or be a permanent resident alien who is eligible for and has applied for U. S. Citizenship. Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his/her application for citizenship is denied.

Felony Disqualification: Pursuant to Government Code Section 1029, persons convicted of a felony are disqualified from employment as peace officers except as provided under Welfare and Institutions Code, Division 2, Chapter 3, Article 8, Section 1179(b), or Division 2.5, Chapter 1, Article 4, Section 1772(b). Except as provided for by these statutes, persons convicted of a felony are not eligible to compete for, or be appointed to, positions in these classes.

Firearm Conviction Disqualification: Anyone who is restricted for employment-related purposes from accessing, possessing, carrying, receiving, or having under his/her control a firearm or ammunition under all applicable State or Federal laws is ineligible for appointment to any position in these classifications.

Firearms Requirement: Persons convicted of a misdemeanor crime of domestic violence as defined in the amended Federal Gun Control Act of 1968 are disqualified from appointment to these classes.

Background Investigation: Pursuant to Government Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment.

Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Psychological Requirement: Pursuant to POST Regulations 1002(a)(7) requires psychological screening of applicants for peace officer classifications.

Training Requirements: Under provisions of Penal Code Section 832, successful completion of training is required for peace officer status in this classification.

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Supervising Special Investigator II	12/3/54	--	--
Supervising Special Investigator II (Non-Peace Officer)	_____	--	--

CALIFORNIA STATE PERSONNEL BOARD**SPECIFICATION**

SUPERVISING SPECIAL INVESTIGATOR I
Series Specification
(Established _____)

SCOPE

This is a series specification that describes two classes at the first supervisory level that supervise a staff of Special Investigators performing investigative work.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
VI80	8548	Supervising Special Investigator I
VI81	8549	Supervising Special Investigator I (Non-Peace Officer)

DEFINITION

BOTH CLASSES:

Under direction, either (1) in an assigned area, to direct a staff of Special Investigators I or Special Investigators I (Non-Peace Officer) in the performance of field investigations to detect or verify suspected violations of laws, rules, or regulations; or (2) in a headquarters office, to assist a superior in planning and directing a major investigation program, and to act for him/her in his/her absence; to make difficult investigations; and to do other related work.

DISTINGUISHING CHARACTERISTICS

BOTH CLASSES:

Employees in this class are typically first-line supervisors in charge of an assigned area with a crew of Special Investigators. In addition to direct supervision, they may personally participate in difficult or complex investigations.

TYPICAL TASKS

BOTH CLASSES:

Trains, plans, organizes, and directs the work of a staff of Special Investigators I or Special Investigators I (Non-Peace Officer) in the investigation of suspected violations of provisions of laws, rules, or

regulations; makes or directs the more difficult criminal investigations; makes inspections of the physical security of local offices and equipment and recommends any necessary actions; advises departmental personnel in methods of fraud detection; files complaints, prepares cases, and appears in court or in administrative hearings; works with and secures the cooperation of Federal, State, and local law enforcement agencies; evaluates the performance of staff members, and takes appropriate action; assists a superior in planning and directing a major investigation program and acts for him/her in his/her absence; reviews and evaluates reports; makes or participates in more difficult or confidential field investigations; and prepares reports and correspondence.

SUPERVISING SPECIAL INVESTIGATOR I

Incumbents in this class performs peace officer duties and responsibilities in the accomplishment of their assignments in accordance with the California Penal Code, Section 830 et. seq., and Government Code, Sections 20391 and 20393.

MINIMUM QUALIFICATIONS

BOTH CLASSES:

Either I

One year of experience performing the duties of a Senior Special Investigator or a Senior Special Investigator (Non-Peace Officer) in the California state service.

Or II

Two years of experience performing the duties of a Special Investigator I, Range B, or a Special Investigator I (Non-Peace Officer), Range B, in the California state service.

Or III

Experience: Three years of experience in investigation work, at least two years of which involved complete responsibility for difficult and unusual cases. and

Education: Equivalent to completion of the twelfth grade. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

KNOWLEDGE, SKILLS, AND ABILITIES

BOTH CLASSES:

Knowledge of: Investigation techniques and procedures, and directing others in the performance of investigatory work; rules of investigatory work; rules of evidence and court procedure; principles

of identification, preservation, and presentation of evidence; sources of information used in locating persons; laws of arrest, search and seizure, service of legal process, and the legal rights of citizens; interviewing techniques; duties of Federal, State, and local law enforcement agencies; interpreting and applying to specific cases the provisions of the laws, rules, or regulations enforced or administered; principles and techniques of personnel management and supervision and supervising a staff of investigators; and a manager's/supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment.

Skill in: Planning, organizing, and directing investigations.

Ability to: Direct others in the performance of investigatory work; interpret and apply to specific cases the provisions of the laws, rules, or regulations enforced or administered; supervise a staff of investigators; gather, analyze, and prepare effective evidence; dictate correspondence and prepare reports; communicate effectively; establish and maintain cooperative relations with Federal, State, and local law enforcement agencies; analyze situations accurately; think and act quickly in emergencies and adopt an effective course of action; and effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment.

SPECIAL PERSONAL CHARACTERISTICS

BOTH CLASSES:

Willingness to work irregular hours and overtime in various locations throughout the State; tact; keenness of observation; good memory for names, faces, and incidents; and ability to qualify for a fiduciary bond.

PEACE OFFICER STANDARDS

SUPERVISING SPECIAL INVESTIGATOR I

Citizenship Requirement: Pursuant to Government Code Section 1031(a), in order to be a peace officer, a person must either be a U.S. Citizen or be a permanent resident alien who is eligible for and has applied for U. S. Citizenship. Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his/her application for citizenship is denied.

Felony Disqualification: Pursuant to Government Code Section 1029, persons convicted of a felony are disqualified from employment as peace officers except as provided under Welfare and Institutions Code,

Division 2, Chapter 3, Article 8, Section 1179(b), or Division 2.5, Chapter 1, Article 4, Section 1772(b). Except as provided for by these statutes, persons convicted of a felony are not eligible to compete for, or be appointed to, positions in these classes.

Firearm Conviction Disqualification: Anyone who is restricted for employment-related purposes from accessing, possessing, carrying, receiving, or having under his/her control a firearm or ammunition under all applicable State or Federal laws is ineligible for appointment to any position in these classifications.

Firearms Requirement: Persons convicted of a misdemeanor crime of domestic violence as defined in the amended Federal Gun Control Act of 1968 are disqualified from appointment to these classes.

Background Investigation: Pursuant to Government Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment.

Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Psychological Requirement: Pursuant to POST Regulations 1002(a)(7) requires psychological screening of applicants for peace officer classifications.

Training Requirements: Under provisions of Penal Code Section 832, successful completion of training is required for peace officer status in this classification.

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Supervising Special Investigator I	1/18/47	9/22/82	12/3/54
Supervising Special Investigator I (Non-Peace Officer)	_____	--	--

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

SENIOR SPECIAL INVESTIGATOR
Series Specification
(Established _____)

SCOPE

This is a series specification that describes two classes that perform investigative work at the full journey person level.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
VI90	8550	Senior Special Investigator
VI91	8551	Senior Special Investigator (Non-Peace Officer)

DEFINITION

BOTH CLASSES:

Under direction, either (1) to lead or review the work of a small staff of Special Investigators I or Special Investigators I (Non-Peace Officer) in the performance of field investigations; to detect or verify suspected violations of laws, rules, or regulations; to make difficult investigations; or (2) in an assigned major area, to have independent responsibility for an entire investigation program; or (3) to conduct the most difficult and complex investigations; or (4) in an investigatory or law enforcement program, to perform program or policy development and interpretation duties which specifically require investigatory or law enforcement expertise; and to do other related work.

TYPICAL TASKS

BOTH CLASSES:

Act as the leader of a small staff of Special Investigators I or Special Investigators I (Non-Peace Officer); instructs, advises, and works with the staff in performing investigations of suspected violations of laws, rules, or regulations; interprets and explains the provisions of laws, rules, and regulations; locates and interviews persons, takes statements and depositions, and evaluates evidence; examines records, collects data, and reports facts; investigates complaints and makes character investigations; serves legal papers, files complaints, prepares cases, and appears as a witness in court or at administrative hearings; evaluates the performance of members of the staff and recommends appropriate action; reviews and evaluates reports; makes or participates in the more difficult criminal or

confidential field investigations; works closely with and secures the cooperation of Federal, State, and local law enforcement agencies; may develop program investigation policies and procedures; and prepares reports and dictates correspondence.

SENIOR SPECIAL INVESTIGATOR

Incumbents in this class perform peace officer duties and responsibilities in the accomplishment of their assignments in accordance with the California Penal Code, Section 830 et. seq., and Government Code, Sections 20391 and 20393.

MINIMUM QUALIFICATIONS

BOTH CLASSES:

Either I

One year of experience performing the duties of a Special Investigator I, Range B, or a Special Investigator I (Non-Peace Officer), Range B, in the California state service.

Or II

Experience: Two years of experience in investigation work, at least one year of which involved complete responsibility for difficult and unusual cases. and

Education: Equivalent to completion of the twelfth grade. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

KNOWLEDGE, SKILLS, AND ABILITIES

BOTH CLASSES:

Knowledge of: Investigation techniques and procedures; rules of evidence and court procedure; techniques of identifying, preserving, and presenting evidence; sources of information used in locating persons; laws of arrest, search and seizure, service of legal process, and the legal rights of citizens; interviewing techniques; duties of Federal, State, and local law enforcement agencies; provisions of the laws, rules, or regulations enforced or administered; and principles and techniques of personnel management and supervision.

Skill in: Performing investigatory work; planning; and organizing and directing investigations.

Ability to: Interpret and apply to specific cases provisions of the laws, rules, or regulations enforced or administered; review and evaluate the work of others and give guidance and counsel in work

methods and procedures; dictate correspondence and prepare reports; communicate effectively; establish and maintain cooperative relations with Federal, State, and local law enforcement agencies; and analyze situations accurately, think and act quickly in emergencies, and adopt an effective course of action.

SPECIAL PERSONAL CHARACTERISTICS

BOTH CLASSES:

Willingness to work odd and irregular hours in various locations throughout the State; emotional stability; tact; keenness of observation; good memory for names, faces, and incidents; and ability to qualify for fiduciary bond.

PEACE OFFICER STANDARDS

SENIOR SPECIAL INVESTIGATOR

Citizenship Requirement: Pursuant to Government Code Section 1031(a), in order to be a peace officer, a person must either be a U.S. Citizen or be a permanent resident alien who is eligible for and has applied for U. S. Citizenship. Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his/her application for citizenship is denied.

Felony Disqualification: Pursuant to Government Code Section 1029, persons convicted of a felony are disqualified from employment as peace officers except as provided under Welfare and Institutions Code, Division 2, Chapter 3, Article 8, Section 1179(b), or Division 2.5, Chapter 1, Article 4, Section 1772(b). Except as provided for by these statutes, persons convicted of a felony are not eligible to compete for, or be appointed to, positions in these classes.

Firearm Conviction Disqualification: Anyone who is restricted for employment-related purposes from accessing, possessing, carrying, receiving, or having under his/her control a firearm or ammunition under all applicable State or Federal laws is ineligible for appointment to any position in these classifications.

Firearms Requirement: Persons convicted of a misdemeanor crime of domestic violence as defined in the amended Federal Gun Control Act of 1968 are disqualified from appointment to these classes.

Background Investigation: Pursuant to Government Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment.

Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Psychological Requirement: Pursuant to POST Regulations 1002(a)(7) requires psychological screening of applicants for peace officer classifications.

Training Requirements: Under provisions of Penal Code Section 832, successful completion of training is required for peace officer status in this classification.

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Senior Special Investigator	05/21/54	9/10/85	--
Senior Special Investigator (Non-Peace Officer)	<hr/>	--	--

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

SPECIAL INVESTIGATOR I
Series Specification
(Established _____)

SCOPE

This is a series specification that describes two classes that perform investigative work at the learner, worker, and journey person level.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
VJ11	8553	Special Investigator I
VJ13	8563	Special Investigator I (Non-Peace Officer)

DEFINITION

BOTH CLASSES:

Under direction as a learner, worker, and journey person to make independent investigations to detect or verify suspected violations of laws, rules, or regulations; to locate and interview witnesses and persons suspected of violations; to obtain and present facts and evidence to support administrative action or prosecution; and to do other related work.

TYPICAL TASKS

BOTH CLASSES:

Makes/assists in making investigations to detect or verify suspected violations of provisions of laws, rules, or regulations; locates and interviews accused persons and witnesses and analyzes and evaluates their testimony; examines a variety of records to secure or verify information concerning suspected violations and violators; contacts and interviews individuals and representatives of business or governmental organizations; gathers, assembles, preserves, and reports facts, statements or affidavits, and other evidence for use in legal action; makes arrests; investigates complaints; investigates the character of applicants for specialized licenses or permits; investigates suspected misuse of license or permit privileges; arranges for the appearance of witnesses to present testimony in legal or administrative actions; swears to complaints; serves legal papers; appears as a witness at legal or administrative proceedings; interprets and explains the provisions of laws, rules, or regulations;

cooperates with and secures the cooperation of Federal, State, and local law enforcement agencies; and prepares correspondence and reports of investigations and recommends action to be taken.

SPECIAL INVESTIGATOR I

Incumbents in this class perform peace officer duties and responsibilities in the accomplishment of their assignments in accordance with the California Penal Code, Section 830 et. seq., and Government Code, Sections 20391 and 20393.

MINIMUM QUALIFICATIONS

BOTH CLASSES:

Either I

Equivalent to graduation from college with:

1. A major in criminal justice, law enforcement, or criminology.
or
2. A minor (21 semester units or 31.5 quarter units) in criminal justice, law enforcement, or criminology with evidence that the following courses have been completed: introduction to criminal justice, introduction to criminal law, basic investigation, evidence, criminal procedure, philosophy of law, and an internship.

(Students in their senior year in college will be admitted to the examination, but they must produce evidence of graduation or its equivalent before they can be considered eligible for appointment.)

Or II

Equivalent to completion of two years of college with a major in police science, law enforcement, or criminology and two years' experience as a police officer/deputy sheriff performing preliminary investigative work as part of the regular enforcement activity.

Or III

One year of experience in the California state service in an investigation assignment in the classes of Management Services Technician, Range B, or Occupational Technician, Range B. Applicants who are being considered for Special Investigator I positions assigned "Peace Officer" status (as determined by California state law) must possess the educational equivalent to completion of the twelfth grade. (Applicants who have completed six months of service in Range B of the classes of Management Services Technician or Occupational Technician will be admitted to the examination, but they must satisfactorily complete one year of experience in the class before they can be considered eligible for appointment.)

Or IV

One year of experience in the California state service performing duties comparable to those of an Investigator Assistant or an Investigator Assistant (Non-Peace Officer). (Applicants who have completed six months of service in the class of Investigator Assistant or an Investigator Assistant (Non-Peace Officer) will be admitted to the examination, but they must satisfactorily complete one year of experience in the class before they can be considered eligible for appointment.)

Or V

Two years of experience in the California state service as a police officer performing investigation work as part of the regular enforcement activity.

Or VI

Experience: One year of experience as a police detective or as an investigator performing comparable investigative work in a public or private agency or in the armed services. and

Education: Equivalent to completion of the twelfth grade. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.) Applicants who are being considered for Special Investigator I positions assigned "Peace Officer" status (as defined by California state law) must possess the educational equivalent to completion of the twelfth grade.

KNOWLEDGE AND ABILITIES

BOTH CLASSES:

Knowledge of: Investigation techniques and procedures; rules of evidence and court procedure; and laws of arrest, search and seizure, legal rights of citizens, and service of legal process.

Ability to: Interpret and apply laws and regulations to specific situations; gather and analyze facts; reason logically, draw valid conclusions, and make appropriate recommendations; good reading comprehension; participate effectively in investigations and interviews; communicate effectively; and establish and maintain effective working relationships.

SPECIAL PERSONAL CHARACTERISTICS

BOTH CLASSES:

Aptitude for investigation work; willingness as a learner to do routine or detailed work in order to learn the practical application of investigative principles; willingness to travel throughout assigned areas and to work long and unusual hours as required; demonstrated

capacity for development as evidenced by work history, academic attainment, participation in school or other activities, or by well-defined occupational or vocational interests; tact; neat personal appearance; and ability to qualify for a fiduciary bond.

Minimum age for appointment: 18 years, except where employees are required to investigate cases involving alcoholic beverages.

PEACE OFFICER STANDARDS

SPECIAL INVESTIGATOR I

Citizenship Requirement: Pursuant to Government Code Section 1031(a), in order to be a peace officer, a person must either be a U.S. Citizen or be a permanent resident alien who is eligible for and has applied for U. S. Citizenship. Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his/her application for citizenship is denied.

Felony Disqualification: Pursuant to Government Code Section 1029, persons convicted of a felony are disqualified from employment as peace officers except as provided under Welfare and Institutions Code, Division 2, Chapter 3, Article 8, Section 1179(b), or Division 2.5, Chapter 1, Article 4, Section 1772(b). Except as provided for by these statutes, persons convicted of a felony are not eligible to compete for, or be appointed to, positions in these classes.

Firearm Conviction Disqualification: Anyone who is restricted for employment-related purposes from accessing, possessing, carrying, receiving, or having under his/her control a firearm or ammunition under all applicable State or Federal laws is ineligible for appointment to any position in these classifications.

Firearms Requirement: Persons convicted of a misdemeanor crime of domestic violence as defined in the amended Federal Gun Control Act of 1968 are disqualified from appointment to these classes.

Background Investigation: Pursuant to Government Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment.

Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Psychological Requirement: Pursuant to POST Regulations 1002(a)(7) requires psychological screening of applicants for peace officer classifications.

Special Investigator I Series

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Training Requirements: Under provisions of Penal Code Section 832, successful completion of training is required for peace officer status in this classification.

CLASS HISTORY

<u>Class</u>		<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Special Investigator I		10/21/81	--	--
Special Investigator I Officer)	(Non-Peace	_____	--	--

CALIFORNIA STATE PERSONNEL BOARD**SPECIFICATION**

BUREAU ADMINISTRATION, DIVISION OF LAW ENFORCEMENT,
DEPARTMENT OF JUSTICE
Series Specification
(Established January 23, 1974)

SCOPE

This series specification describes ~~two~~ three classes used by the Department of Justice to plan, organize, direct and administer the work of the major program areas of the Department's Division of Law Enforcement.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
VD15	8681	Assistant Bureau Chief, Division of Law Enforcement, Department of Justice
<u>VD16</u>	<u>8680</u>	<u>Assistant Bureau Chief, Division of Law</u> <u>Enforcement, Department of Justice (Non-Peace</u> <u>Officer)</u>
VD10	8682	Bureau Chief, Division of Law Enforcement, Department of Justice

DEFINITION OF SERIES

Incumbents in this series are typically law enforcement subject-matter generalists who have considerable knowledge of the programs and policies of the Division of Law Enforcement of the Department of Justice, and who have demonstrated possession of managerial skills. Assignments are to one of the major program areas of the Division of Law Enforcement, such as identification, criminal statistics, narcotic enforcement, investigations, or technical services with emphasis given to demonstrated ability to manage and administer these specific law enforcement programs. Positions typically plan, organize, direct, and administer the work of a professional staff such as Special Agents, Criminalists, Crime Studies Analysts, and Department of Justice Administrators engaged in performing complex duties in a major program area of the Division of Law Enforcement. Incumbents may also be assigned responsibility for direction of local law enforcement activities, and do other related work.

ENTRY LEVELS

Entry into this series is typically through law enforcement related classes in State service that provide experience in resolving complex managerial problems in law enforcement program areas listed above by utilizing a wide variety of management tools and techniques.

Bureau Administration, Division of Law Enforcement,
Department of Justice, Series

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FACTORS AFFECTING POSITION ALLOCATION

The complexity, scope, and organization of program responsibility, independence of action and level of decision-making authority, impact of decisions on statewide programs, degree of administrative and supervisory responsibilities, and responsibility for assisting in program and policy formulation and implementation are allocation factors. Allocations to classes in this series are confined to the most complex program areas within the Division of Law Enforcement.

DEFINITION OF LEVELS

ASSISTANT BUREAU CHIEF, DIVISION OF LAW ENFORCEMENT, DEPARTMENT OF JUSTICE

ASSISTANT BUREAU CHIEF, DIVISION OF LAW ENFORCEMENT, DEPARTMENT OF JUSTICE (NON-PEACE OFFICER)

This level in the series is responsible for assisting a Bureau Chief, Division of Law Enforcement, Department of Justice, in the planning, organization, direction, and administration of a major program area of the Division of Law Enforcement. Incumbents are involved in a wide range of administrative and managerial duties of program implementation, such as the review of major projects within the Bureau, formulation of Bureau training programs, representing the Department before the general public and other law enforcement agencies, and acting for the Bureau Chief in his/her absence. Incumbents may be ordered by the Attorney General to assume responsibility for direction of local law enforcement activities in the event of a regional or statewide emergency.

ASSISTANT BUREAU CHIEF, DIVISION OF LAW ENFORCEMENT, DEPARTMENT OF JUSTICE

Incumbents in this class perform peace officer duties and responsibilities in the accomplishment of their assignments in accordance with the California Penal Code, Section 830.1(b), and Government Code, Section 20398.

BUREAU CHIEF, DIVISION OF LAW ENFORCEMENT, DEPARTMENT OF JUSTICE

This level in the series is responsible for the planning, organization, direction, and administration of a major program area of the Division of Law Enforcement. Incumbents work under the administrative direction of an Assistant Director, Division of Law Enforcement, Department of Justice, C.E.A., and exercise considerable

Bureau Administration, Division of Law Enforcement,
Department of Justice, Series

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independence in conducting the programs and policies of their assigned program area. Incumbents represent the Department before the general public and other law enforcement agencies, and may act for an Assistant Director in his/her absence. Incumbents may be ordered by the Attorney General to assume responsibility for direction of local law enforcement activities in the event of a regional or statewide emergency.

MINIMUM QUALIFICATIONS

ASSISTANT BUREAU CHIEF, DIVISION OF LAW ENFORCEMENT, DEPARTMENT OF JUSTICE

ASSISTANT BUREAU CHIEF, DIVISION OF LAW ENFORCEMENT, DEPARTMENT OF JUSTICE (NON-PEACE OFFICER)

Either I

1. One year of experience in the Department of Justice, performing law enforcement related duties in a line or staff capacity comparable in level to those of a Department of Justice Administrator II. or
2. Two years of experience in the Department of Justice performing law enforcement related duties in a line or staff capacity comparable in level to those of a Department of Justice Administrator I.

Or II

Experience: Five years of supervisory experience in a law enforcement agency. At least two years must have been in a supervisory position which included administrative responsibilities, such as budgeting, management analysis, personnel, statistical analysis, or research in an identification, criminal statistics, narcotic enforcement, investigations, or technical services program area. (Experience in the California state service applied toward this requirement must include at least one year performing law enforcement related duties in a line or staff capacity comparable in level to those of a Department of Justice Administrator II or two years performing law enforcement related duties in a line or staff capacity comparable in level to those of a Department of Justice Administrator II or two years performing law enforcement related duties in a line or staff capacity comparable in level to those of a Department of Justice Administrator I. (Possession of a graduate degree in public administration, business administration, law, political science, or related areas may be substituted for one year of required experience.) and

Education: Equivalent to graduation from college. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

Bureau Administration, Division of Law Enforcement,
Department of Justice, Series

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BUREAU CHIEF, DIVISION OF LAW ENFORCEMENT, DEPARTMENT OF JUSTICE

Either I

1. One year of experience in the Department of Justice performing law enforcement related duties in a line or staff capacity comparable in level to those of a Department of Justice Administrator III. or
2. Two years of experience in the Department of Justice performing law enforcement related duties in a line or staff capacity comparable in level to those of a Department of Justice Administrator II.

Or II

Experience: Broad and extensive (more than five years) supervisory experience in a law enforcement agency. At least three years must have been in a supervisory position which included administrative responsibilities such as budgeting, management analysis, personnel, statistical analysis or research in an identification, criminal statistics, narcotic enforcement, investigations, or technical services program area. (Experience in the California state service applied toward this requirement must include at least one year performing law enforcement related duties in a line or staff capacity comparable in level to those of a Department of Justice Administrator II.) (Possession of a graduate degree in public administration, business administration, law, political science, or related areas may be substituted for one year of the required experience.) and

Education: Equivalent to graduation from college. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

KNOWLEDGE AND ABILITIES

BOTH ALL LEVELS:

Knowledge of: Programs, policies, and procedures of the Division of Law Enforcement of the Department of Justice in such areas as identification, criminal statistics, narcotic enforcement, investigations, and technical services; the criminal justice system and governmental functions and organization; administrative survey principles, including management control systems relating to governmental operations; principles of public administration, personnel management, and effective supervision; principles of organization, administration, and management; research techniques, and statistical principles and procedures; ~~manager's role in the Affirmative Action Program and the processes available to meet affirmative action objectives~~ and a manager's/supervisor's

Bureau Administration, Division of Law Enforcement,
Department of Justice, Series

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responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment.

Ability to: Administer and manage a major law enforcement program area of the Division of Law Enforcement of the Department of Justice; analyze and evaluate complex administrative problems; appear before public and private groups to explain departmental objectives, programs, and fiscal and general administrative matters and secure the cooperation and assistance of such groups; organize and direct the work of others; develop and install new administrative methods and procedures; analyze data; ~~and speak and write~~ communicate effectively; establish and maintain cooperative working relationships; act independently with open-mindedness, flexibility and tact; ~~effectively contribute to the Department's affirmative action objectives and~~ effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment.

PEACE OFFICER STANDARDS

ASSISTANT BUREAU CHIEF, DIVISION OF LAW ENFORCEMENT, DEPARTMENT OF JUSTICE

BUREAU CHIEF, DIVISION OF LAW ENFORCEMENT, DEPARTMENT OF JUSTICE

Citizenship Requirement: Pursuant to Government Code Section 1031(a), in order to be a peace officer, a person must either be a U.S. Citizen or be a permanent resident alien who is eligible for and has applied for U. S. Citizenship. Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his/her application for citizenship is denied.

Felony Disqualification: Pursuant to Government Code Section 1029, persons convicted of a felony are disqualified from employment as peace officers except as provided under Welfare and Institutions Code, Division 2, Chapter 3, Article 8, Section 1179(b), or Division 2.5, Chapter 1, Article 4, Section 1772(b). Except as provided for by these statutes, persons convicted of a felony are not eligible to compete for, or be appointed to, positions in these classes.

Firearm Conviction Disqualification: Anyone who is restricted for employment-related purposes from accessing, possessing, carrying, receiving, or having under his/her control a firearm or ammunition under all applicable State or Federal laws is ineligible for appointment to any position in these classifications.

Firearms Requirement: Persons convicted of a misdemeanor crime of domestic violence as defined in the amended Federal Gun Control Act of 1968 are disqualified from appointment to these classes.

Bureau Administration, Division of Law Enforcement,
Department of Justice, Series

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Background Investigation: Pursuant to Government Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment.

Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Psychological Requirement: Pursuant to POST Regulations 1002(a)(7) requires psychological screening of applicants for peace officer classifications.

Training Requirements: Under provisions of Penal Code Section 832, successful completion of training is required for peace officer status in these classifications.

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Assistant Bureau Chief, Division of Law Enforcement, Department of Justice	1/23/74	12/1/76	--
<u>Assistant Bureau Chief, Division of Law Enforcement, Department of Justice (Non-Peace Officer)</u>	_____	--	--
Bureau Chief, Division of Law Enforcement, Department of Justice	1/23/74	12/1/76	--

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

ENFORCEMENT REPRESENTATIVE,
CONTRACTORS STATE LICENSE BOARD
Series Specification
(Established May 31, 1983)

SCOPE

This series specification describes ~~four~~ six classes which are responsible for the performance and supervision of work in connection with the review and enforcement of laws, regulations, and procedures administered by the Contractors State License Board. The predominant duties of these positions relate to the research, investigations, regulatory, and licensing functions of the Contractors State License Board and require a thorough and detailed knowledge of appropriate laws, rules, regulations, and administrative policy of the organization.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
VS90	8793	Enforcement Representative I, Contractors State License Board
<u>VS91</u>	<u>8791</u>	<u>Enforcement Representative I, Contractors</u> <u>State License Board (Non-Peace Officer)</u>
VS89	8795	Enforcement Representative II, Contractors State License Board
<u>VS85</u>	<u>8800</u>	<u>Enforcement Representative II, Contractors</u> <u>State License Board (Non-Peace Officer)</u>
VS75	8796	Enforcement Supervisor I, Contractors State License Board (Non-Peace Officer)
VS60	8790	Enforcement Supervisor II, Contractors State License Board <u>(Non-Peace Officer)</u>

ENTRY LEVEL

Entry into this series is typically in the class of Enforcement Representative I, Contractors State License Board, Range A, or Enforcement Representative I, Contractors State License Board (Non-Peace Officer), Range A. Possession of the criteria described in the alternate range criteria permits entry at the Range B level.

FACTORS AFFECTING POSITION ALLOCATION

Overall scope and complexity of technical work to be performed; independence of action and decision-making responsibility; supervision received; degree of originality in performing job duties; and consequence of error.

DEFINITION OF LEVELS

ENFORCEMENT REPRESENTATIVE I, CONTRACTORS STATE LICENSE BOARD ENFORCEMENT REPRESENTATIVE I, CONTRACTORS STATE LICENSE BOARD (NON- PEACE OFFICER)

This is the entry and first journey level for this series. Employees are assigned duties and responsibilities commensurate with their background and training. Under close supervision and in accordance with established procedures, incumbents receive on-the-job training from either a supervisor or an advanced full journey Enforcement Representative II, Contractors State License Board, or Enforcement Representative II, Contractors State License Board (Non-Peace Officer), and perform increasingly difficult research and investigation duties on assigned cases. Incumbents investigate complaints, prepare responses, and recommend appropriate action; contact and interview consumers, licensees, and suspected nonlicensees; review applications for licensure; resolve complaints between consumers and licensees; coordinate industry expert inspections to ensure compliance with the provisions of the law; provide instructions and information to consumers, licensees, and government agencies; and do other related work.

ENFORCEMENT REPRESENTATIVE I, CONTRACTORS STATE LICENSE BOARD

Incumbents in this class perform peace officer duties and responsibilities in the accomplishment of their assignments in accordance with the California Penal Code, Section 830.3(m).

ENFORCEMENT REPRESENTATIVE II, CONTRACTORS STATE LICENSE BOARD ENFORCEMENT REPRESENTATIVE II, CONTRACTORS STATE LICENSE BOARD (NON- PEACE OFFICER)

This is the full journey specialist level class. Under general direction, incumbents may act as a lead person or technical resource person; independently design proactive investigations, and research and investigate the most complex cases and applications for licensure; lead and coordinate targeted investigations including organized crime and major financial diversion; coordinate and plan the disciplinary process; serve as the technical expert in Contractors State License Board laws, rules, regulations, and licensing classification structure; serve as a liaison to the Attorney General's Office and the District Attorney's Office; represent the Contractors State License Board at administrative hearings to present evidence, examine witnesses, and make legal arguments in nonlicensee citation appeals; train and mentor lower-level Enforcement Representatives; review, analyze, and make recommendations on case closures; authorize search warrants and temporary restraining orders; assist managers with the day-to-day operations; and do other related work.

Enforcement Representative, Contractors
State License Board, Series

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ENFORCEMENT REPRESENTATIVE II, CONTRACTORS STATE LICENSE BOARD

Incumbents in this class perform peace officer duties and responsibilities in the accomplishment of their assignments in accordance with the California Penal Code, Section 830.3(m).

ENFORCEMENT SUPERVISOR I, CONTRACTORS STATE LICENSE BOARD (NON-PEACE OFFICER)

This is the first supervisory level in the series. Under general direction, incumbents may be responsible for the supervision of activities within a geographic or program area including investigation centers, satellite offices, legal action operations, proactive/unlicensed operations investigations, and mediation/intake centers or enforcement licensing. Incumbents are responsible for leadership, communication, management and administration, planning, evaluation and assessment, problem solving, quality improvement, team and staff development, and process improvement under their jurisdiction. Incumbents will also be responsible for the development and monitoring of strategic plans and performance measures, and managing change. In relation to the above, incumbents will be required to take appropriate enforcement and regulatory action; manage the complaint resolution and mediation processes; consult with varied professionals, investigators, and organizations; conduct informational conferences; coordinate program interests with other governmental and law enforcement agencies, legislative offices, and building departments; and do other related work.

ENFORCEMENT SUPERVISOR II, CONTRACTORS STATE LICENSE BOARD (NON-PEACE OFFICER)

This is the second supervisory level in the series. Incumbents plan, create vision, organize, direct, and evaluate the results, efficiency, and effectiveness of staff of a statewide or complex and sensitive function; provide technical and program consultation to management; confer with other managers, supervisors, and staff to assure a quality and consistent program; recommend to the Division Chief the formulation of policy and assist in the development and maintenance of standards and guidelines related to program areas; design a program that meets the needs of public, industry, professional, and community organizations and groups; represent the Board at meetings concerned with organization, trade associations, and related government organizations; establish and maintain cooperative relations with licensees, consumers, and other persons in connection with work of the Board; prepare correspondence and technical reports; prepare, present, and track budgets; and do other related work.

Enforcement Representative, Contractors
State License Board, Series

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MINIMUM QUALIFICATIONS

ENFORCEMENT REPRESENTATIVE I, CONTRACTORS STATE LICENSE BOARD
ENFORCEMENT REPRESENTATIVE I, CONTRACTORS STATE LICENSE BOARD (NON-
PEACE OFFICER)

Either I

Experience: One year of experience in the Contractors State License Board performing duties equivalent in level of responsibility to a Consumer Services Representative.

Or II

Education: Equivalent to graduation from college preferably with a major in law enforcement, public or business administration, or a related field. (Registration as a senior in a recognized institution will admit applicants to the examination, but they must produce evidence of graduation or its equivalent before they can be considered eligible for appointment.) (Qualifying experience may be substituted for the required education on a year-for-year basis.)

Or III

Experience: (1) Completion of two years of trade school in construction; or (2) Four years of experience at the journey person level in one or a combination of:

1. Building construction trades. or
2. Independent field investigation work.

ENFORCEMENT REPRESENTATIVE II, CONTRACTORS STATE LICENSE BOARD
ENFORCEMENT REPRESENTATIVE II, CONTRACTORS STATE LICENSE BOARD (NON-
PEACE OFFICER)

Either I

Experience: Two years of experience in the California state service performing duties equivalent in level of responsibility to an Enforcement Representative I, Contractors State License Board, Range B, or an Enforcement Representative I, Contractors State License Board (Non-Peace Officer), Range B.

(Promotional candidates who are within six months of satisfying the requirements for this class will be admitted to the examination, however they must fully meet the two-year experience requirement before being eligible for appointment.)

Or II

Experience: One year of experience in the California state service performing duties equivalent in level of responsibility to an Enforcement Representative I, Contractors State License Board, Range B, or an Enforcement Representative I, Contractors State License Board (Non-Peace Officer), Range B. and

Four years of progressively responsible experience performing field investigation work.

Enforcement Representative, Contractors
State License Board, Series

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ENFORCEMENT SUPERVISOR I, CONTRACTORS STATE LICENSE BOARD (NON-PEACE OFFICER)

Either I

Experience: Two years of experience in the California state service performing duties equivalent in level of responsibility to an Enforcement Representative II, Contractors State License Board, or an Enforcement Representative II, Contractors State License Board (Non-Peace Officer).

Or II

Experience: Four years of experience in the California state service performing duties equivalent in level of responsibility to an Enforcement Representative I, Contractors State License Board, Range B, or an Enforcement Representative I, Contractors State License Board (Non-Peace Officer), Range B.

ENFORCEMENT SUPERVISOR II, CONTRACTORS STATE LICENSE BOARD (NON-PEACE OFFICER)

Either I

Experience: One year of experience in the California state service performing duties equivalent in level of responsibility to an Enforcement Supervisor I, Contractors State License Board (Non-Peace Officer).

Or II

Experience: Two years of experience in the California state service performing duties equivalent in level of responsibility to an Enforcement Representative II, Contractors State License Board or an Enforcement Representative II, Contractors State License Board (Non-Peace Officer).

KNOWLEDGE AND ABILITIES

ALL LEVELS:

Knowledge of: Review techniques including planning and organizing; general principles and concepts used in project review, writing, and analysis; administrative and criminal investigation; contractors laws and regulations; mediation techniques; modern office methods and equipment; and terminology and procedures used in the construction industry.

Ability to: Independently gather, compile, analyze, and interpret data; prepare complete correspondence and reports in a clear and concise manner; communicate effectively; willingness to learn and use various computer software; reason logically and creatively and use a variety of analytical techniques; learn the tools and skills used in the field of investigation as well as the terminology and procedures used in the construction industry; consult and advise interested parties on cases or related materials; and gain and maintain the confidence and cooperation of law enforcement officials and others.

Enforcement Representative, Contractors
State License Board, Series

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ENFORCEMENT REPRESENTATIVE II, CONTRACTORS STATE LICENSE BOARD
ENFORCEMENT REPRESENTATIVE II, CONTRACTORS STATE LICENSE BOARD (NON-
PEACE OFFICER)

Knowledge of: All of the above, and the Contractors State License Law; Contractors State License Board rules, regulations, policies, and procedures; Contractors State License Board organization and functions; related legal opinions, methods, laws, and procedures controlling the activities of building contractors; investigation methods, evidence, and procedures applicable to criminal and administrative proceedings; performance measurement principles; and strategic planning processes.

Ability to: All of the above, and interpret and apply the provisions of the Contractors State License Law and related legal opinions and court decisions and Contractors State License Board policies, procedures, rules, and regulations.

ENFORCEMENT SUPERVISOR I, CONTRACTORS STATE LICENSE BOARD (NON-PEACE
OFFICER)

Knowledge of: All of the above, and various types of construction trades associations and organizations; principles of supervision; pertinent legislation and legislative procedures; the judicial system of California; research and evaluation methods; principles of sound personnel management; and a manager's/supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment.

Ability to: All of the above, and independently perform complex, specialized analyses and functions within the Contractors State License Board; and effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment.

ENFORCEMENT SUPERVISOR II, CONTRACTORS STATE LICENSE BOARD (NON-PEACE
OFFICER)

Knowledge of: All of the above, and administrative principles and practices, including organization, personnel management, supervision, training, budget preparation and control, management, and cost-benefit analysis; quality control and quality improvement; principles of public and business administration; effective supervision, coaching, and facilitation; and Federal and State laws and administrative regulations relating to the construction industry.

Ability to: All of the above, and plan, organize, and direct the work of others; secure the cooperation of individuals, organizations, and agencies affected by the Board's programs; analyze situations and data accurately and empower staff to improve processes; and coach and train team members to be process managers.

SPECIAL PERSONAL REQUIREMENTS

ALL LEVELS:

Demonstrated ability to act independently with flexibility and tact; willingness to work odd and irregular hours; and good memory for names, faces, and incidents.

Some positions: Willingness to travel.

PEACE OFFICER STANDARDS

ENFORCEMENT REPRESENTATIVE I, CONTRACTORS STATE LICENSE BOARD
ENFORCEMENT REPRESENTATIVE II, CONTRACTORS STATE LICENSE BOARD

Citizenship Requirement: Pursuant to Government Code Section 1031(a), in order to be a peace officer, a person must either be a U.S. Citizen or be a permanent resident alien who is eligible for and has applied for U. S. Citizenship. Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his/her application for citizenship is denied.

Felony Disqualification: Pursuant to Government Code Section 1029, persons convicted of a felony are disqualified from employment as peace officers except as provided under Welfare and Institutions Code, Division 2, Chapter 3, Article 8, Section 1179(b), or Division 2.5, Chapter 1, Article 4, Section 1772(b). Except as provided for by these statutes, persons convicted of a felony are not eligible to compete for, or be appointed to, positions in these classes.

Firearm Conviction Disqualification: Anyone who is restricted for employment-related purposes from accessing, possessing, carrying, receiving, or having under his/her control a firearm or ammunition under all applicable State or Federal laws is ineligible for appointment to any position in these classifications.

Firearms Requirement: Persons convicted of a misdemeanor crime of domestic violence as defined in the amended Federal Gun Control Act of 1968 are disqualified from appointment to these classes.

Background Investigation: Pursuant to Government Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment.

Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Enforcement Representative, Contractors
State License Board, Series

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Psychological Requirement: Pursuant to POST Regulations 1002(a)(7) requires psychological screening of applicants for peace officer classifications.

Training Requirements: Under provisions of Penal Code Section 832, successful completion of training is required for peace officer status in this classification.

FINGERPRINTING

ALL LEVELS:

Applicants will be fingerprinted for the purpose of obtaining a criminal records check.

DRIVER LICENSE REQUIREMENTS

ALL LEVELS:

Applicants for positions in this classification series must possess a valid driver license, a good driving record, and are expected to drive vehicles safely. Applicants who do not possess the license will be admitted to the examination but must secure the license prior to appointment.

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Enforcement Representative I, Contractors State License Board	8/9/47	3/7/00	3/7/00
<u>Enforcement Representative I, Contractors State License Board (Non-Peace Officer)</u>	_____	--	--
Enforcement Representative II, Contractors State License Board	3/7/00	--	--
<u>Enforcement Representative II, Contractors State License Board (Non-Peace Officer)</u>	_____	--	--
Enforcement Supervisor I, Contractors State License Board (Non-Peace Officer)	3/7/00	--	--
Enforcement Supervisor II, Contractors State License Board (Non-Peace Officer)	7/9/31	--	--

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

DISTRICT REPRESENTATIVE AND CODES AND STANDARDS ADMINISTRATOR
Series Specification
(Established April 25, 1973)

SCOPE

The classes in this series are used in the Division of Codes and Standards of the Department of Housing and Community Development. The duties of these classes encompass the development, administration, and enforcement of laws and regulations affecting construction, health and safety of buildings, dwellings, housing, mobile homes, manufactured housing and commercial ~~coaches~~ modulars, and occupational licensing of manufactured housing firms and professions.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
VX92	8960	District Representative I, Division of Codes and Standards
<u>VX91</u>	<u>8959</u>	<u>District Representative I, Division of Codes and Standards (Non-Peace Officer)</u>
VX90	8958	District Representative II, Division of Codes and Standards
<u>VX83</u>	<u>8961</u>	<u>District Representative II, Division of Codes and Standards (Non-Peace Officer)</u>
VX82	8951	Codes and Standards Administrator I <u>(Non-Peace Officer)</u>
VX81	8950	Codes and Standards Administrator II <u>(Non-Peace Officer)</u>
VX80	9008	Codes and Standards Administrator III <u>(Non-Peace Officer)</u>

DEFINITION OF SERIES

These classes describe work involving the development, enforcement, and administration of laws, codes, and regulations in the areas of: manufactured housing and commercial ~~coaches~~ modulars; recreational vehicles; employee housing; mobile home parks; State housing law; and occupational licensing and related consumer complaints. Assignments may include: on-site determinations of code compliance; review of plans and specification for code compliance; investigation of persons and firms subject to requirements enforced by the division including occupational licensing, consultation with local enforcement agencies, members of the public, and housing industry representatives; supervision of inspection and investigation programs; and conduct of surveys, seminars, and training, and development of regulations, training, and other related programs administered by the Department.

DEFINITION OF LEVELS

DISTRICT REPRESENTATIVE I, DIVISION OF CODES AND STANDARDS

DISTRICT REPRESENTATIVE I, DIVISION OF CODES AND STANDARDS (NON-PEACE OFFICER)

This is the full journey person level. Incumbents make on-site and in-plant inspections and investigations to obtain compliance with applicable laws, building codes, and regulations; meet and consult with others regarding code interpretations; and positions assigned to headquarters interpret and explain complex and difficult code sections to the public. Incumbents may also act as a lead person for a trainee.

DISTRICT REPRESENTATIVE I, DIVISION OF CODES AND STANDARDS

Incumbents in this class perform peace officer duties and responsibilities in the accomplishment of their assignment in accordance with the California Penal Code, Section 830.3(j).

DISTRICT REPRESENTATIVE II, DIVISION OF CODES AND STANDARDS

DISTRICT REPRESENTATIVE II, DIVISION OF CODES AND STANDARDS (NON-PEACE OFFICER)

This class is the working lead person level. Incumbents act as lead persons over ~~Housing Inspection Assistants and District Representative Apprentices~~, District Representatives I, or District Representatives I (Non-Peace Officer). In field offices, ~~they~~ incumbents are assigned the most sensitive and complex field inspection and investigative work and may be assigned to assist an area administrator. In headquarters assignments, incumbents either (1) function as a technical expert assigned to one or more programs within the division providing technical code interpretations and other professional assistance to program managers; or (2) work in the Engineering and Plan Check Section reviewing plans for buildings, structures, factory-built housing, mobile homes, commercial ~~coaches~~ modulars, mobile home park structures, accessories or related systems; or review building plans for energy standards compliance.

DISTRICT REPRESENTATIVE II, DIVISION OF CODES AND STANDARDS

Incumbents in this class perform peace officer duties and responsibilities in the accomplishment of their assignment in accordance with the California Penal Code, Section 830.3(j).

CODES AND STANDARDS ADMINISTRATOR I (NON-PEACE OFFICER)

This class under direction is either (1) the first supervisory level and assistant administrator of a major area office with responsibility over a large field staff; or (2) program manager with supervisory responsibility over a small technical staff in headquarters; or (3) in a staff position, is a program specialist with responsibility for a

technical code-related area with statewide application such as State housing law, mobile home parks, employee housing, manufactured housing, or factory-built housing.

CODES AND STANDARDS ADMINISTRATOR II (NON-PEACE OFFICER)

This class under general direction, either (1) is the manager of one of the three major area offices having complete charge of the field inspection and enforcement programs; or (2) directs the work of a group of program managers and/or specialists responsible for technical code-related areas having statewide application.

CODES AND STANDARDS ADMINISTRATOR III (NON-PEACE OFFICER)

This class, under the general direction of the Chief, Division of Codes and Standards, either (1) is the administrator of all of the division's major area offices having complete charge of all field inspection and enforcement programs throughout the State; or (2) directs the work of the headquarters staff in the development, establishment, interpretation, application, and coordination of all technical housing standards programs for statewide application and supervises all program managers and specialists responsible for technical code-related programs.

MINIMUM QUALIFICATIONS

DISTRICT REPRESENTATIVE I, DIVISION OF CODES AND STANDARDS

DISTRICT REPRESENTATIVE I, DIVISION OF CODES AND STANDARDS (NON-PEACE OFFICER)

Either I

Experience: Successful completion of an approved apprenticeship program in the class of District Representative Apprentice, Housing and Community Development, or equivalent.

(Candidates who are within six months of completing the required experience will be admitted to the examination, but they must complete the required experience and education before they can be considered eligible for appointment.)

Or II

Three years of journey level building inspector work involving code enforcement, or three years as a supervisor of building construction.

(College education in building construction/inspection technology or a closely related field may be substituted for up to two years of the required experience on the basis of two years of college being equivalent to one year of experience.)

DISTRICT REPRESENTATIVE II, DIVISION OF CODES AND STANDARDS
DISTRICT REPRESENTATIVE II, DIVISION OF CODES AND STANDARDS (NON-PEACE OFFICER)

Either I

One year of experience in the California state service performing the duties of a District Representative I, Division of Codes and Standards, or a District Representative I, Division of Codes and Standards (Non-Peace Officer).

Or II

Four years of experience in (1) either building inspection work at journey level or above involving code enforcement, one year of which shall have been in a supervising capacity; or (2) as a supervisor of building construction. [Experience in the California state service applied toward this requirement must include at least one year performing the duties of a class at a level of responsibility equivalent to that of a District Representative I, Division of Codes and Standards, or a District Representative I, Division of Codes and Standards (Non-Peace Officer).]

CODES AND STANDARDS ADMINISTRATOR I (NON-PEACE OFFICER)

Either I

One year of experience in the California state service either (1) performing the duties of a District Representative II, Division of Codes and Standards, or a District Representative II, Division of Codes and Standards (Non-Peace Officer); or (2) in a governmental plan checking function in a class at a level of responsibility equivalent to that obtained in the class of Associate Civil Engineer. or

Two years of experience in the California state service performing the duties of a District Representative I, Division of Codes and Standards, or a District Representative I, Division of Codes and Standards (Non-Peace Officer).

Or II

Five years of experience in building inspection work, two years of which shall have been in one or a combination of the following: (1) the development and interpretation of building inspection policies and standards; or (2) the supervision of a technical staff engaged in building inspection work requiring the interpretation and application of building codes and regulations. [Experience in the California state service applied toward this requirement must include at least one year performing the duties of a class at a level of responsibility equivalent to that obtained in the class of District Representative II, Division of Codes and Standards, or a District Representative I, Division of Codes and Standards (Non-Peace Officer).]

CODES AND STANDARDS ADMINISTRATOR II (NON-PEACE OFFICER)

Either I

One year of experience in the California state service performing the duties of a Codes and Standards Administrator I (Non-Peace Officer).
or

Two years of experience in the California state service performing the duties of a District Representative II, Division of Codes and Standards, or a District Representative II, Division of Codes and Standards (Non-Peace Officer).

Or II

Five years of experience in building inspection work, at least three years of which shall have been in a supervisory or administrative capacity involved in one or a combination of the following: (1) the development and interpretation of building inspection policies and standards; or (2) the interpretation and application of building codes and regulations. +[Experience in the California state service applied toward this requirement must include at least one year performing the duties of a class at a level of responsibility equivalent to that obtained in the class of Codes and Standards Administrator I (Non-Peace Officer).+]

CODES AND STANDARDS ADMINISTRATOR III (NON-PEACE OFFICER)

Either I

One year of experience in the California state service performing the duties of a Codes and Standards Administrator II (Non-Peace Officer) or a Community Development Representative II. or

Two years of experience in the California state service performing the duties of a Codes and Standards Administrator I (Non-Peace Officer).

Or II

Broad and extensive (more than five years) experience in building inspection work, at least four years of which shall have been in a supervisory or administrative capacity in one or a combination of the following: (1) the development and interpretation of building inspection policies and standards; or (2) the interpretation and application of building codes and regulations. +[Experience in the California state service applied toward this requirement must include at least one year performing the duties of a class at a level of responsibility equivalent to that obtained in the class of Codes and Standards Administrator II (Non-Peace Officer).+]

KNOWLEDGE AND ABILITIES

DISTRICT REPRESENTATIVE I, DIVISION OF CODES AND STANDARDS

DISTRICT REPRESENTATIVE I, DIVISION OF CODES AND STANDARDS (NON-PEACE OFFICER)

Knowledge of: Basic engineering, architectural, and building design practices and procedures; methodology and terminology used in the building construction industry, the construction, sale, installation, and occupancy of manufactured homes, commercial ~~coaches~~ modulars, and recreational vehicles; State, Federal, and model code requirements relating to health, safety, fire, and planning for building construction and housing; and rules of evidence, principles of investigation, and civil law procedures.

Ability to: Interpret, determine compliance with, inspect, and enforce Federal, State, and model code requirements relating to

building construction, housing, manufactured homes, commercial ~~coaches~~ modulars, mobile home parks, and recreational vehicles; employee housing, and occupational licensing, apply the rules of evidence and civil law procedures; evaluate and monitor local agency ability to interpret and apply State law; detect conditions of health, safety, or fire hazards in existing buildings, mobile home parks, manufactured housing, structures, recreational vehicles, and other sites of occupancy, both existing and under construction; prepare clear, concise, and effective written reports on investigations, inspections, and surveys; communicate effectively ~~orally~~; consult with, inform, and maintain cooperative relations with co-workers, other public agency personnel, and the general public; analyze situations accurately and take effective action; and act effectively as a lead person over trainees or new employees.

DISTRICT REPRESENTATIVE II, DIVISION OF CODES AND STANDARDS
DISTRICT REPRESENTATIVE II, DIVISION OF CODES AND STANDARDS (NON-PEACE OFFICER)

Knowledge of: All of the above, and specific knowledge of all programs in the Division of Codes and Standards; determinations of substitutions of alternate building materials; and interpretation and application of codes to complex construction problems, principles of training, and information programs for the Department, local agencies, and the general public.

Ability to: All of the above, and approve alternative building materials, methods, and techniques; check plans and specifications for design, materials, and code conformance; perform more sensitive and complex investigation and inspection work; and act as lead person over lower-level staff.

CODES AND STANDARDS ADMINISTRATOR I (NON-PEACE OFFICER)

Knowledge of: All of the above, and the application of housing and building construction surveys; training program preparation and application; principles of supervision, management, and administration; ~~Department's Affirmative Action Program objectives; a manager's role in the Affirmative Action Program and the processes available to meet affirmative action objectives; employer-employee relations and collective bargaining procedures and a~~ manager's/supervisor's responsibility for promoting equal opportunity in hiring and employee development and promotion, and for maintaining a work environment that is free of discrimination and harassment.

Ability to: All of the above, and prepare effective research and analytical reports; formulate and advocate policies, procedures, and regulations for division programs; administer a technical housing standards program; analyze and recommend changes to proposed legislation; supervise the work of others; ~~effectively contribute to the Department's affirmative action objectives~~ effectively promote equal opportunity in employment and maintain a work environment that is free of discrimination and harassment.

CODES AND STANDARDS ADMINISTRATOR II (NON-PEACE OFFICER)

Knowledge of: All of the above, and management and field operations procedures for all programs of the Division.

Ability to: All of the above, and administer a major area office through subordinate supervisors; and conduct public hearings.

CODES AND STANDARDS ADMINISTRATOR III (NON-PEACE OFFICER)

Knowledge of: All of the above, and principles and practices of program management and budgeting.

Ability to: All of the above, and oversee the budget for operations of the Division; and administer a line and staff organization through subordinate supervisors.

SPECIAL PERSONAL CHARACTERISTICS

ALL CLASSES:

Willingness to locate where assigned and to travel throughout the State or an assigned area of the State.

PEACE OFFICER STANDARDSDISTRICT REPRESENTATIVE I, DIVISION OF CODES AND STANDARDS
DISTRICT REPRESENTATIVE II, DIVISION OF CODES AND STANDARDS

Citizenship Requirement: Pursuant to Government Code Section 1031(a), in order to be a peace officer, a person must either be a U.S. Citizen or be a permanent resident alien who is eligible for and has applied for U. S. Citizenship. Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his/her application for citizenship is denied.

Felony Disqualification: Pursuant to Government Code Section 1029, persons convicted of a felony are disqualified from employment as peace officers except as provided under Welfare and Institutions Code, Division 2, Chapter 3, Article 8, Section 1179(b), or Division 2.5, Chapter 1, Article 4, Section 1772(b). Except as provided for by these statutes, persons convicted of a felony are not eligible to compete for, or be appointed to, positions in these classes.

Firearm Conviction Disqualification: Anyone who is restricted for employment-related purposes from accessing, possessing, carrying, receiving, or having under his/her control a firearm or ammunition under all applicable State or Federal laws is ineligible for appointment to any position in these classifications.

Firearms Requirement: Persons convicted of a misdemeanor crime of domestic violence as defined in the amended Federal Gun Control Act of 1968 are disqualified from appointment to these classes.

Background Investigation: Pursuant to Government Code Section 1031, persons successful in peace officer examinations shall be required to undergo a thorough background investigation prior to appointment.

Medical Requirement: Pursuant to Government Code Section 1031, persons appointed to a peace officer class shall undergo a medical examination to determine that he or she can perform the essential functions of the job safely and effectively.

Psychological Requirement: Pursuant to POST Regulations 1002(a)(7) requires psychological screening of applicants for peace officer classifications.

Training Requirements: Under provisions of Penal Code Section 832, successful completion of training is required for peace officer status in this classification.

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
District Representative I, Division of Codes and Standards	11/19/37	6/4/85	7/25/79
<u>District Representative I, Division of Codes and Standards (Non-Peace Officer)</u>	_____	--	--
District Representative II, Division of Codes and Standards	4/24/69	11/30/82	7/25/79
<u>District Representative II, Division of Codes and Standards (Non-Peace Officer)</u>	_____	--	--
<u>Codes and Standards Administrator I (Non-Peace Officer)</u>	4/18/63	11/30/82	--
<u>Codes and Standards Administrator II (Non-Peace Officer)</u>	1/8/60	11/30/82	--
<u>Codes and Standards Administrator III (Non-Peace Officer)</u>	5/8/74	11/30/82	--

TO: STATE PERSONNEL BOARD

FROM: Debra Thompsen, Personnel Program Manager
Department of Personnel Administration

Nicole Holtzman, Personnel Program Analyst
Department of Personnel Administration

REVIEWED BY: Josie Fernandez, Program Manager
Department of Personnel Administration

SUBJECT: Proposed revision to Alternate Range Criteria 11, Range 7 and addition of Alternate Range Criteria 11, Range 7 to the Reentry Program Instructor, California Department of Corrections. In addition, add Footnote 21 to the Reentry Program Instructor, California Department of Corrections class.

SUMMARY OF ISSUES:

The California Department of Corrections and Rehabilitation's (CDCR) Office of Correctional Education (OCE) proposes to amend Alternate Range Criteria 11, Range 7, to include specified vocational and academic staff and Reentry Program Instructor, California Department of Corrections to include criteria necessary to compensate affected incumbents. Also, CDCR proposes to add Footnote 21 to the class of Reentry Program Instructor, California Department of Corrections, which designates a class as an exception to State Personnel Board Rule 431. The changes were negotiated by Bargaining Unit 3 to be effective August 1, 2007, the start of the OCE academic school year.

CONSULTED WITH:

Daphne Baldwin, State Personnel Board
Mike Strazzo, State Personnel Board
Jerri Judd, Department of Personnel Administration
Jeanette Williams Gipson, Department of Personnel Administration

SEIU Local 1000 is in agreement with the proposed changes based on a negotiated agreement signed August 1, 2007.

BACKGROUND AND CONSIDERATIONS:

On April 18, 2006 a change in the compensation plan was established as a result of a court order in the Lawsuit of Farrell v. Allen for CDCR, Department of Juvenile Justice (DJJ). The compensation plan intention is to attract and retain teachers to provide a quality education for the wards.

It is also essential the CDCR Adult Academic Program (commonly known as OCE) attract and retain teachers. DPA is amending the Variable Compensation, Section 8 of the Pay Scales to be amended effective August 1, 2007 to add the OCE. The OCE program is to be placed on a similar academic calendar as the DJJ program, which consists of an academic year consisting of 220 days. The OCE academic year will began August 1, 2007, as opposed to the DJJ academic year, which began August 6, 2007. Therefore, the following changes are proposed:

- 1) Add the classification of Reentry Program Instructor, California Department of Corrections, for incumbents who possess a valid credential in good standing with the State Teacher Credentialing

Commission to Alternate Range Criteria 11, Range 7. Reentry Program Instructor, California Department of Corrections incumbents who do not possess the appropriate credentialing, will not be eligible for Range 7.

- 2) Amend Alternate Range Criteria 11, Range 7 to include all classes used in the OCE. The Alternate Range Criteria was previously restricted to DJJ classes only.
- 3) Add Footnote 21 to the class of Reentry Program Instructor, California Department of Corrections to establish the OCE class as a deep class and an exception to SPB Rule 431. Establishment as a deep class will allow employees to be placed in the appropriate salary range in ARC 11, Range 7.
- 4) CDCR, the Department of Personnel Administration (DPA), and Bargaining Unit 3 agreed to an effective date of August 1, 2007 to coincide with the OCE school year. Therefore, the State requests to backdate the effective date of this item to meet the agreed-upon August 1, 2007 date.

STATUS CONSIDERATIONS:

The affected employees in the CDCR OCE program will be moved by Board resolution.

RECOMMENDATIONS:

1. That Alternate Range Criteria 11, Range 7 be amended as follows:

ALTERNATE RANGE CRITERIA 11

Revised: 01/01/94

Amended: 04/18/06, Pay Letter 06-36

When an employee who possesses the required teaching credential enters State service in one of the teaching classes, he/she shall be appointed to the first rate of the appropriate range in terms of the following criteria:

NOTE: These criteria are not minimum qualifications. The minimum qualifications, including the credential required, are contained in the class specifications. These criteria are to be used only for determining appointment salary or hiring rate based on academic preparation required, or in addition to that necessary to obtain the appropriate credential. The minimum qualifications as set forth in the specification determine eligibility for the class or position.

RANGES

A, J, T, and 1

ACADEMIC

Academic preparation totaling less than a bachelor's degree

B, K, U, and 2

Possession of a bachelor's degree.

RANGES

C, L, V,
and 3

ACADEMIC

Possession of a bachelor's degree plus 12 upper division or graduate units which were not counted toward the degree.

VOCATIONAL

Three years' experience with graduation from high school.

D, M, W,
and 4

Possession of a bachelor's degree plus 24 upper division or graduate units which were not counted toward the degree.

Three years of journeyman experience with graduation from high school.

11.0.4 SECTION 11 ALTERNATE RANGE CRITERIA

Prior teaching experience shall not affect the entrance rate under these criteria. No initial appointment shall be made above Range D, M, W, or 4. The provisions of Government Code Section 19836 may be applied for hiring above minimum in Range A, B, C, D, J, K, L, M, T, U, V, W, 1, 2, 3, or 4.

9-12 PAY OPTION

When a full-time employee with permanent or probationary status in a civil service position requiring teacher certification qualifications and performance of teaching duties elects to be employed and paid under the provisions of the 9-12 Pay Plan:

Regular monthly salary times 9 divided by 12 equals 9-12 Pay Plan gross monthly installment.

10-12 PAY OPTION

When a full-time employee with permanent or probationary status in a civil service position requiring teacher certification qualifications and performance of teaching duties elects to be employed and paid under the provisions of the 10-12 Pay Plan:

Regular monthly salary times 10 divided by 12 equals 10-12 Pay Plan gross monthly installment.

11-12 PAY OPTION

When a full-time employee with permanent or probationary status in a civil service position requiring teacher certification qualifications and performance of teaching duties elects to be employed and paid under the provisions of the 11-12 Pay Plan:

Regular monthly salary times 11 divided by 12 equals 11-12 Pay Plan gross monthly installment.

INCENTIVE INCREASES

When a teacher receiving less than Range F under the regular pay plan or less than Range P under the 10-12 Pay Plan, or less than Range Y under the 9-12 Pay Plan, or less than Range 6 under the 11-12 Pay Plan, completes at least six units in college level courses approved by his/her department and taken after appointment, he/she shall be entitled to an increase under the provisions of DPA Rule 599.681. Such an advance shall be known as an "incentive increase." No employee shall receive more than one incentive increase in any calendar year.

~~DIVISION OF JUVENILE JUSTICE (DJJ)/CALIFORNIA EDUCATION AUTHORITY SALARY SCHEDULE~~California Department of Corrections and Rehabilitation Educational and Vocational Programs Salary Schedule**Range 7**

This range shall apply to incumbents employed at as Teachers, Vocational Instructors, Specialists, School Psychologist or credentialed/in good standing Reentry Program Instructor at the a Division of Juvenile Justice high school within the California Department of Corrections and Rehabilitation only. Employees shall be compensated in accordance with the academic calendar schedule established by California Department of Corrections and Rehabilitation Education and Vocational Programs the California Education Authority. See Section 8. Variable Compensation for the established rates for the respective location the incumbent is employed high school.

All employees hired in the DJJ program prior to April 1, 2006 will be initially placed into the salary schedule, based upon current salary and qualifications, and will move in range upon completion of 12 credits/units. Future advancement through the ranges on the salary schedule shall be based upon earning 12 units for each future range advancement, through Range E.

Employees shall be placed on the salary schedule first, by education above the Bachelors Degree, or for career-technical teachers, the equivalent of a Bachelors Degree (High School Diploma plus seven (7) years of college work and in trade work experience) and second, by years of full-time credentialed teaching experience.

For new employees hired in the California Department of Corrections and Rehabilitation Educational and Vocational Programs, outside qualifying experience in a full time credentialed teaching position can be used to place the employee into the salary schedule up to a maximum of Step 10.

Acceptable credits will be limited to new semester (or equivalent quarter) credits earned in an accredited college or university, including credits for continuing education courses, if taken from an accredited college or university. In addition, vocational education teachers shall receive one (1) unit of semester credit for each forty-five (45) hours worked in industry in a position directly related to the teacher's vocational education instructional area. College credits, continuing education credits and any work credits from industry for vocational education teachers will be directly related to the employee's position and not be a repetition of previously acquired credits or work experience.

Continuing education units required for current professional license/certification and/or continuing education units or work experience directly related to course curriculum and/or professional development, that are offered by approved providers may be accepted for salary advancement with prior approval from an immediate supervisor.

For the purpose of salary advancement, employees may also receive both professional growth and salary advancement as long as there has been prior approval for such an action from an immediate supervisor or program director as follows:

* Credits used for salary advancement shall be directly related to the field of instruction of the teacher or specialist seeking credit.

* In lieu credit may be granted for engaging in projects and/or California Department of Corrections and Rehabilitation Educational and Vocational Programs ~~California Education Authority~~ approved workshops regarding the improvement of instruction and curriculum within the teacher's school or community at the rate of fifteen hours equal one credit.

*No more than three (3) credits will be granted in one academic calendar year.

2. That the class of Reentry Program Instructor, California Department of Corrections, be amended with Footnote 21.
3. That employees at OCE in the classes of Vocational Instructor (various) Range 1 through Y of the ARC 11 be appointed to the appropriate rate in Range 7.
4. That eligible employees at OCE in the class of Reentry Program Instructor, California Department of Corrections, in Range A through L be appointed to the appropriate rate in Range 7.

RESOLUTIONS:

Effective August 1, 2007, the following resolution is adopted by the State Personnel Board.

Whereas the State Personnel Board on November 20, 2007, amended the Alternate Range Criteria 11, Range 7 to include the teachers, vocational instructors, and incumbents that credentialed/in good standing in the class of Reentry Program Instructor, California Department of Corrections, at the California Department of Corrections and Rehabilitation Office of Correctional Education indicated below in Column I; and

Whereas the knowledge and abilities required for Range 7 of the classes indicated in Column II were substantially tested for in the examinations held for the classes listed in Column I; and

Whereas the State Personnel Board added Footnote 21 to the class of Reentry Program Instructor, California Department of Corrections; Therefore be it

Resolved, That any person with civil service status in the California Department of Corrections and Rehabilitation and employed as a Teacher, Vocational Instructor, Specialist, School Psychologist or credentialed/in good standing Reentry Program Instructor in the Adult Educational and Vocational Program (commonly known as OCE) on August 1, 2007, be reallocated effective August 1, 2007 to, and hereby granted, the same civil service status in the appropriate range within Alternate Range Criteria 11 as indicated below in column II.

Column I	Column II
TEACHER (ELEMENTARY-MULTIPLE SUBJECTS) (CORRECTIONAL FACILITY)	TEACHER (ELEMENTARY-MULTIPLE SUBJECTS) (CORRECTIONAL FACILITY) Range 7
TEACHER (HIGH SCHOOL-GENERAL EDUCATION) (CORRECTIONAL FACILITY)	TEACHER (HIGH SCHOOL-GENERAL EDUCATION) (CORRECTIONAL FACILITY) Range 7
TEACHER (HIGH SCHOOL-PHYSICAL EDUCATION) (CORRECTIONAL FACILITY)	TEACHER (HIGH SCHOOL-PHYSICAL EDUCATION) (CORRECTIONAL FACILITY) Range 7
TEACHER (EMOTIONALLY/LEARNING HANDICAPPED) (CORRECTIONAL FACILITY)	TEACHER (EMOTIONALLY/LEARNING HANDICAPPED) (CORRECTIONAL FACILITY) Range 7
SUBSTITUTE ACADEMIC TEACHER (CORRECTIONAL FACILITY)	SUBSTITUTE ACADEMIC TEACHER (CORRECTIONAL FACILITY) Range 7
VOCATIONAL INSTRUCTOR-AUTO BODY AND FENDER REPAIR--CORRECTIONAL FACILITY	VOCATIONAL INSTRUCTOR-AUTO BODY AND FENDER REPAIR--CORRECTIONAL FACILITY Range 7
VOCATIONAL INSTRUCTOR-AUTO MECHANICS— CORRECTIONAL FACILITY	VOCATIONAL INSTRUCTOR-AUTO MECHANICS— CORRECTIONAL FACILITY Range 7
VOCATIONAL INSTRUCTOR-CARPENTRY— CORRECTIONAL FACILITY	VOCATIONAL INSTRUCTOR-CARPENTRY— CORRECTIONAL FACILITY Range 7
VOCATIONAL INSTRUCTOR-COSMETOLOGY— CORRECTIONAL FACILITY	VOCATIONAL INSTRUCTOR-COSMETOLOGY— CORRECTIONAL FACILITY Range 7
VOCATIONAL INSTRUCTOR-DRY CLEANING WORK— CORRECTIONAL FACILITY	VOCATIONAL INSTRUCTOR-DRY CLEANING WORK— CORRECTIONAL FACILITY Range 7
VOCATIONAL INSTRUCTOR-ELECTRICAL WORK— CORRECTIONAL FACILITY	VOCATIONAL INSTRUCTOR-ELECTRICAL WORK— CORRECTIONAL FACILITY Range 7

VOCATIONAL INSTRUCTOR-
ELECTRONICS—
CORRECTIONAL FACILITY
VOCATIONAL INSTRUCTOR-HOUSEHOLD
APPLIANCE
REPAIR--CORRECTIONAL FACILITY
VOCATIONAL INSTRUCTOR-JANITORIAL
SERVICES—
CORRECTIONAL FACILITY
Column I

VOCATIONAL INSTRUCTOR-LANDSCAPE
GARDENING
VOCATIONAL INSTRUCTOR-MACHINE
SHOP
PRACTICES (CORRECTIONAL FACILITY)
VOCATIONAL INSTRUCTOR-MASONRY—
CORRECTIONAL
FACILITY
VOCATIONAL INSTRUCTOR-MILL AND
CABINET WORK
(CORRECTIONAL FACILITY)
VOCATIONAL INSTRUCTOR-PAINTING—
CORRECTIONAL
FACILITY
VOCATIONAL INSTRUCTOR-PLUMBING—
CORRECTIONAL
FACILITY
VOCATIONAL INSTRUCTOR-
REFRIGERATION AND AIR
CONDITIONING REPAIR—CORRECTIONAL
FACILITY
VOCATIONAL INSTRUCTOR-SHEET METAL
WORK—
CORRECTIONAL FACILITY
VOCATIONAL INSTRUCTOR-(OFFICE
MACHINE REPAIR)
(CORRECTIONAL FACILITY)
VOCATIONAL INSTRUCTOR-WELDING
(CORRECTIONAL FACILITY)
VOCATIONAL INSTRUCTOR-EYEWEAR
MANUFACTURING—
CORRECTIONAL FACILITY
VOCATIONAL INSTRUCTOR-OFFICE
SERVICES AND RELATED
TECHNOLOGISTS
VOCATIONAL INSTRUCTOR-(ROOFER)
(CORRECTIONAL
FACILITY)
VOCATIONAL INSTRUCTOR-(SMALL
ENGINE REPAIR)
(CORRECTIONAL FACILITY)
VOCATIONAL INSTRUCTOR-(PRINTING

VOCATIONAL INSTRUCTOR-
ELECTRONICS—
CORRECTIONAL FACILITY Range 7
VOCATIONAL INSTRUCTOR-HOUSEHOLD
APPLIANCE
REPAIR--CORRECTIONAL FACILITY Range 7
VOCATIONAL INSTRUCTOR-JANITORIAL
SERVICES—
CORRECTIONAL FACILITY Range 7
Column II

VOCATIONAL INSTRUCTOR-LANDSCAPE
GARDENING Range 7
VOCATIONAL INSTRUCTOR-MACHINE SHOP
PRACTICES (CORRECTIONAL FACILITY)
Range 7
VOCATIONAL INSTRUCTOR-MASONRY—
CORRECTIONAL FACILITY Range 7
VOCATIONAL INSTRUCTOR-MILL AND
CABINET WORK
(CORRECTIONAL FACILITY) Range 7
VOCATIONAL INSTRUCTOR-PAINTING—
CORRECTIONAL
FACILITY Range 7
VOCATIONAL INSTRUCTOR-PLUMBING—
CORRECTIONAL
FACILITY Range 7
VOCATIONAL INSTRUCTOR-
REFRIGERATION AND AIR
CONDITIONING REPAIR—CORRECTIONAL
FACILITY Range 7
VOCATIONAL INSTRUCTOR-SHEET METAL
WORK—
CORRECTIONAL FACILITY Range 7
VOCATIONAL INSTRUCTOR-(OFFICE
MACHINE REPAIR)
(CORRECTIONAL FACILITY) Range 7
VOCATIONAL INSTRUCTOR-WELDING
(CORRECTIONAL FACILITY) Range 7
VOCATIONAL INSTRUCTOR-EYEWEAR
MANUFACTURING—
CORRECTIONAL FACILITY Range 7
VOCATIONAL INSTRUCTOR-OFFICE
SERVICES AND
RELATED TECHNOLOGISTS Range 7
VOCATIONAL INSTRUCTOR-(ROOFER)
(CORRECTIONAL
FACILITY) Range 7
VOCATIONAL INSTRUCTOR-(SMALL ENGINE
REPAIR)
(CORRECTIONAL FACILITY) Range 7
VOCATIONAL INSTRUCTOR-(PRINTING

GRAPHIC ARTS)
 (CORRECTIONAL FACILITY)
 VOCATIONAL INSTRUCTOR-(BUILDING
 MAINTENANCE)
 (CORRECTIONAL FACILITY)
 VOCATIONAL INSTRUCTOR-(DRYWALL
 INSTALLER/TAPER)
 (CORRECTIONAL FACILITY)

GRAPHIC ARTS)
 (CORRECTIONAL FACILITY) Range 7
 VOCATIONAL INSTRUCTOR-(BUILDING
 MAINTENANCE)
 (CORRECTIONAL FACILITY) Range 7
 VOCATIONAL INSTRUCTOR-(DRYWALL
 INSTALLER/TAPER)
 (CORRECTIONAL FACILITY) Range 7

Column I

VOCATIONAL INSTRUCTOR-MACHINE
 SHOP-AUTOMOTIVE
 (CORRECTIONAL FACILITY)
 RE-ENTRY PROGRAM INSTRUCTOR-
 CALIFORNIA
 DEPARTMENT OF CORRECTIONS
 VOCATIONAL INSTRUCTOR-(COMPUTER
 AND RELATED
 TECHNOLOGIES)

Column II

VOCATIONAL INSTRUCTOR-MACHINE
 SHOP-AUTOMOTIVE
 (CORRECTIONAL FACILITY) Range 7
 RE-ENTRY PROGRAM INSTRUCTOR-
 CALIFORNIA
 DEPARTMENT OF CORRECTIONS Range 7
 VOCATIONAL INSTRUCTOR-(COMPUTER
 AND RELATED
 TECHNOLOGIES) Range 7

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(Cal. 11/20/07)

MEMO TO : STATE PERSONNEL BOARD
FROM : MIKE STRAZZO, Merit Operations Division
SUBJECT : Staff Calendar Items for Board Information

NONE PRESENTED